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Final Report of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

Maine State Legislature

Office of Policy and Legal Analysis

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**STATE OF MAINE
120TH LEGISLATURE
FIRST REGULAR SESSION**

**Final Report
of the**

**Commission to Study Equity in the Distribution
of Gas Tax Revenues Attributable to
Snowmobiles, All-terrain Vehicles and Watercraft**

December 2001

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**Senator Marge KilKelly, Senate Chair
Senator Kenneth Gagnon
Senator Jill Goldthwait
Senator Richard Kneeland
Senator Christine Savage**

**Representative Joseph Clark, House Chair
Representative Bruce Bryant
Representative Richard Duncan
Representative Kenneth A. Honey
Representative Gary Wheeler
Penn Estabrook, Dept. of Marine Resources
Dawn Gallagher, Dept. of Conservation
Fred Hurley, Dept. of Inland Fisheries & Wildlife
Elmer Pelletier, Maine Revenue Service
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**The Honorable Richard Ruhlin
The Honorable Judy Paradis
The Honorable Leo Kieffer**

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Over the last 2 years, the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft (the “Commission”) held ten meetings in locations throughout the state to receive public input on issues relating to the equitable distribution of gasoline taxes for recreational snowmobiling, boating and all-terrain vehicle use and to study the statewide and regional needs related to those activities. In that time period, the Commission received a wide range of public comment, reviewed a consolidated plan for ensuring public access to Maine waters prepared by the Departments of Conservation, Inland Fisheries and Wildlife and Marine Resources and reviewed and updated a needs assessment for all-terrain vehicles and snowmobile access, maintenance and enforcement. The Commission also contracted with the Margaret Chase Smith Center for Public Policy at the University of Maine to conduct surveys to estimate the amount of gasoline consumed by snowmobiles, all-terrain vehicles and motorboats in Maine. By completing these surveys, Maine became one of only a few states that have used scientific, empirical methods to arrive at an estimate of the amount of gasoline consumed by those off-road recreational users. The Commission also completed a more informal survey of gasoline sales by more than 250 fresh and salt-water marinas throughout the state.

In its December 2000 report to the Legislature, the Commission concluded that snowmobiling, boating and ATV use have all increased significantly over recent years and now constitute a significant and important part of the economies of many regions of the State. Registration data in Maine indicates that snowmobile registrations have increased by 91% since 1971 (an average of 2.8% per year), that ATV’s registrations have increased by 70% since 1985 (an average of 4.7% per year) and that watercraft registrations have increased by 10% since 1976 (an average of 0.28% per year).¹

Because Maine has positioned itself well to be competitive with other states and Canada in these outdoor recreational opportunities, the Commission continues to feel that these opportunities offer a substantial economic development opportunity for Maine, particularly in the more rural parts of the State. The regional importance in the growth of these recreational activities, particularly snowmobiling, is substantial and very significant. In spite of their economic significance and the opportunities they offer to those regional economies, the Commission has found that State programs designed to develop and enhance those outdoor recreational opportunities are not meeting current needs and must be enhanced if the State is to improve its competitive position as a destination state for summer and winter outdoor recreational opportunities. Additional information collected by the Commission during its work this year reinforces the fact that revenues projected to be available for those programs in future years

¹ Rate of increase calculated by the Margaret Chase Smith Center for Public Policy based on historical registration data provided by the Department of Inland Fisheries and Wildlife.

will fall far short of what is needed for the State to maintain the existing physical infrastructure, acquire or construct new trails or access sites, provide critical safety education materials and provide adequate law enforcement. Passage in November of 2001 of a \$2.9 million General Fund bond issue for bridge improvements related to snowmobile and fishing access improvements, initially recommended by this Committee, will help in a few high priority areas. However, all evidence indicates that without new sources of funding the financial needs of those programs will continue to exceed available funding.

The Commission presents the following unanimous, majority and minority findings and recommendations.² Legislation to implement these recommendations is attached as Appendix C.

FINDINGS

Unanimous Finding 1. The surveys conducted for the Commission by the Margaret Chase Smith Center for Public Policy show that gasoline use by recreational snowmobilers, all-terrain vehicle users and boaters is generating approximately \$1.1 million per year more in gasoline tax revenues than is being allocated to the state agencies that support those outdoor recreational opportunities and that help protect the public safety and the state's natural resources by enforcing the laws regulating the use of those vehicles. The Commission stands squarely behind the statistical analysis used in these surveys, but wishes to emphasize the point that these survey estimates can be viewed as minimum estimates, since the availability of reliable data on gasoline consumption in Maine by out-of-state residents is limited.³

Unanimous Finding 2. The Commission unanimously finds that data collection efforts similar to the surveys undertaken during this study must be repeated on a periodic basis in order to better estimate the amount of gasoline consumed by off-road recreational vehicles, the trends in the use of those vehicles and to

² Members present and voting on these recommendations on December 17, 2001 were Senator Kilkelly, Senator Goldthwait, Senator Savage, Senator Kneeland, Representative Honey, Representative Bryant, Dawn Gallagher (DOC), Bruce Van Note (MDOT), Fred Hurley (DIFW), Penn Estabrook (DMR), Elmer Pelletier (MRS). Representative Clark attended most of the meeting, but was not present when the votes were taken. He subsequently indicated his support for the unanimous and majority findings and recommendations. Representative Duncan also subsequently indicated his support for the majority findings and recommendations. Members supporting the minority findings and recommendations are Senator Savage and Mr. Van Note.

³ For example, the boating survey did not include any estimate of gasoline consumed by boats that are not registered in Maine, since there was no affordable way to collect that data, and the snowmobile survey did not include gasoline consumed by snowmobiles registered in NH and operating in Maine. The Commission received preliminary data from the Maine Department of Environmental Protection on the number of boats being trailered into Maine, but concluded that this data cannot be used in its current form as a basis for estimating gasoline use by out-of state boats.

provide for the subsequent reallocation of gasoline taxes accordingly in a manner that provides equity in the distribution of those gasoline taxes.⁴

Majority Finding 1. A majority of the Commission finds that the existing distribution of gas tax revenues for snowmobiles, all-terrain vehicles and motorboats represents an inequitable use of gasoline tax revenues.

Minority Finding 1. Regarding the question of equity, the minority respectfully finds as follows:

A. On a policy level, it is not inherently unfair to not allocate some of the gas tax revenues generated by off-road recreational vehicles to state off-road recreational programs given:

- (1) The high priority consistently given to transportation funding by the Legislature, the Executive, and Maine's voters;
- (2) The chronic inability of the Highway Fund alone to adequately fund Maine's transportation needs;
- (3) The benefits that good highways and bridges generate to the off-road recreation industries; and
- (4) The damage caused by some off-road recreational vehicles to transportation infrastructure including shoulders to roads and rail lines.

B. The minority agrees that the statistical analysis behind the surveys is valid and that the survey methodology was the best method of data collection practicable. However, the minority also finds that the nature of the surveys (phone surveys requesting recollection of the amount of gasoline used for recreation some time ago) inherently raises potential data quality concerns.

Minority Finding 2. Though the minority generally agrees with the concept of periodic study, the minority finds that the potential benefits of further study (more recent and better data) must be balanced against the cost of further study in terms of time and money. This 2-year study, for example, cost at least \$82,000. in direct costs.⁵ The minority also finds studies should be conducted by the affected agencies and that the trigger for further study should be tied to easily measurable increases in off-road vehicle use, as opposed to an inflexible rule that requires study every set number of years. The minority also finds that, upon

⁴ The Department of Transportation supports this finding in concept, but address this issue more specifically in the minority findings and recommendations.

⁵ The direct costs include the \$72,515 cost of the Cooperative Agreement (see Appendix L) plus the \$10,100 appropriated for the per diem and expenses of Commission members. Not included in this estimate are the indirect costs associated with this study, such as the time and travel expenses incurred by several departments over the course of the study.

the completion of future studies, the Legislature should reallocate gas tax revenues generated by off-road recreational vehicle use, and only after full evaluation of the survey results by all interested parties.

Minority Finding 3. The minority finds that the needs of off-road recreational vehicle programs, though real, must be evaluated in the context of the adequacy of funding for transportation from the Highway Fund. Historically, the Highway Fund revenues have been flat when compared to General Fund. In 1975, the Highway Fund constituted about 25% of state revenues; today it is a little over 10%. In fact, the Highway Fund has not even kept pace with inflation.

Insufficient Highway Fund revenues have caused an aging transportation infrastructure.

- Even with recent gains in highway reconstruction – realized largely with General Fund help - we are still rebuilding at only two thirds of 1970's levels.
- About ½ of the 3,488 miles of Major Collector highways are substandard, meaning no significant reconstruction effort has occurred for over 50 years. About ¾ of the 2,227 of Minor Collector highways are substandard. This means that at current program levels, it will take about 34 years to reconstruct the Major Collectors and about 67 years to reconstruct the Minor Collectors.
- Each year Maine DOT must post weight limits on roughly 2,000 miles of roads to prevent their destruction, hurting industries like forest products, manufactured housing and agriculture.
- Only 73 % of Maine's bridges meet sufficiency standards - a decline from 78 % a decade ago.

Looking forward, Highway Fund structural gaps will continue to be substantial. A December 14, 2001 report by the Legislature's Office of Fiscal and Program Review estimates the Highway Fund shortfall for FY 2004-05 at \$70-90 Million. Given projected shortfalls in the General Fund, General Fund infusions for highways and bridges – a primary method of filling gaps in the 1990's - will be difficult to maintain. In sum, Highway Fund revenues must continue to be used for transportation to the maximum extent possible.

RECOMMENDATIONS

Unanimous recommendation 1. *The Commission unanimously recommends that the Department of Conservation and the Department of Inland Fisheries and Wildlife shall jointly update every five years the boating, ATV and snowmobile strategic plans and needs assessments included in the Commission's report to*

the Legislature in December 2000 and that those Departments jointly submit that report to the joint standing committees of the Legislature having jurisdiction over recreational boating, snowmobile, all-terrain vehicle programs and transportation matters.

Unanimous recommendation 2. *The Commission unanimously recommends that the Department of Inland Fisheries and Wildlife shall ensure that their off-road vehicle registration processes include the electronic storage of all registration information collected, including telephone numbers, in a format that is easily retrievable for the purpose of facilitating survey procedures designed to estimate gasoline consumption by those vehicles.*

Unanimous recommendation 3. *The Commission unanimously recommends that the Department of Inland Fisheries and Wildlife shall ensure that, beginning in calendar year 2003, the name, address and telephone number of each out-of-state motorboat owner is collected at the time that person, or that person's agent, purchases a "lake and river protection sticker" and that the information is stored in an electronic format that, among other uses, is easily retrievable for the purpose of facilitating survey procedures designed to estimate gasoline consumption by those vehicles.*

Unanimous recommendation 4. *The Commission unanimously recommends that the Department of Transportation consider evaluating and quantifying the infrastructure maintenance and repair costs attributable to snowmobile or all-terrain vehicle use along roadsides and on rail-beds and report those costs whenever appropriate to the joint standing committees of the legislature having jurisdiction over inland fisheries and wildlife and transportation matters. In addition, the Commission recommends that the Department of Conservation consider evaluating and quantifying similar infrastructure cost issues raised by the use of those recreational vehicles on privately owned lands, including power lines and pipelines, and to report on any findings to the joint standing committee having jurisdiction over inland fisheries and wildlife whenever appropriate.*

Majority recommendation 1. *A majority of the Commission recommends that the laws governing the distribution of gasoline taxes to snowmobile, all-terrain vehicle and boating programs be amended to:⁶*

A. Create a more equitable distribution of gas tax distributions by immediately including in those distributions 50% of the \$1.1 million dollars per year which are being paid by those off-road recreational users but that are not currently being returned to those programs;

⁶ The specifics of how the dollars would be distributed under this recommendation are shown in Table 1 (page 25).

B. Provide a mechanism by which the remaining 50% of those unreturned gas taxes be returned to those users at a time when the Highway Fund experiences some additional growth in total revenues;

C. Repeal the annual \$2 million “cap” on allocations of gasoline tax revenues to the Boating Facilities Fund for watercraft programs; and

D. Ensure that the process for distributing gasoline taxes result in those revenues being distributed equitably among the appropriate state agencies.

Majority recommendation 2. *A majority of the Commission recommends that the existing statute requiring the Department of Conservation to conduct a survey of fuel consumption by motorboats be repealed and replaced with a law requiring the Departments of Conservation, Transportation, Marine Resources and Inland Fisheries and Wildlife to jointly conduct surveys, beginning in 2004 and every three years thereafter, to determine the number of gallons of gasoline consumed in Maine by recreational users of snowmobiles, all-terrain vehicles and motorboats;*

Majority Recommendation 3. *A majority of the Commission recommends that the process for distributing gasoline taxes among the appropriate agencies for off-road recreational vehicle programs provide for continued equity over time by directing the State Controller to adjust those distributions based on the percentages of gasoline taxes paid by those users as determined by the surveys required under Majority Recommendation 2.*

Minority Recommendation 1. The minority recommends that any additional funding for off-road recreational programs from the Highway Fund be expressly conditioned upon the passage of legislation that raises new, substantial, on-going, and dedicated revenue to the Highway Fund ⁷. In simplest terms, this condition is that the Highway Fund pie must grow on an on-going basis, not just the slice of it going towards off-road recreational programs. Once this condition is met, the minority recommends that the laws governing the distribution of gasoline taxes to motorboat, snowmobile, all-terrain vehicle and programs be amended as follows.

*A. Increase gas tax funding for off-road recreational programs by 37% - an increase of about \$ 1.1 million dollars per year – and provide statutory caps to funding as follows:*⁸

⁷ The minority does not intend to specify the nature of the legislation. Legislation meeting this condition is currently available to the 2nd Regular Session of the 120th Legislature. That legislation is LD 2020, An Act to Promote the Fiscal Sustainability of the Highway Fund, commonly known as fuel tax indexing. If passed in its current form, LD 2020's effective date would be July 1, 2003.

⁸ More detail on how the dollars would be distributed under this recommendation are shown in Table 2 (page 26)

| Vehicle Type | Dollar Increase | % Increase | Cap |
|--------------|-------------------|------------|-------------------|
| Motorboats | \$ 257,000 | 13% | \$ 2,200,000 |
| Snowmobiles | \$ 642,000 | 67% | \$ 1,600,000 |
| ATV's: | <u>\$ 185,000</u> | 287% | <u>\$ 250,000</u> |
| TOTALS | \$1,084,000 | | \$ 4,050,000 |

B. Dedicate at least half of all funds going to ATV programs to law enforcement aimed at reducing damage to roads, rail beds, utility corridors, and other private property. Otherwise, the minority defers to the majority to determine how to divide the funds allocated to each vehicle type between agencies and programs.

C. Increase the statutory "cap" on annual allocations of gasoline tax revenues for watercraft programs to \$ 2.2 million, and place a cap on snowmobile funding of \$ 1.6 million and a cap on ATV funding of \$250,000.

Minority Recommendation 2. *The minority agrees with Majority Recommendation 2 in that the existing statute requiring the Department of Conservation to conduct a survey of fuel consumption by motorboats should be repealed. However, the minority recommends that it be replaced with a requirement that new surveys and related study be conducted on a vehicle type by vehicle type basis and only when on the number of that off-road recreational vehicle type registered in Maine increases by 20% over current levels, or within five years, whichever comes first. This means studies of all these vehicle types need not be conducted at the same time. Further, only agencies with affected programs need be involved in the study.*

Minority Recommendation 3. *The minority recommends that the Legislature should retain control of reallocation of gas tax revenues generated by off-road recreational vehicle use, and that any change in allocations or statutory caps be implemented through the legislative process.*

PURPOSE OF THE COMMISSION

The Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft was originally established by the 119th Legislature in Resolves of 1999, chapter 131, and was continued by the 120th Legislature in Resolves of 2001, chapter 68. A copy of Resolves of 2001, chapter 68 is attached as Appendix A. In both years, the Commission was comprised of five appointed members of the House of Representatives, five appointed members of the Senate and five Executive Branch appointees representing the departments of Transportation, Conservation, Inland Fisheries and Wildlife, Marine Resources and the Maine Revenue Service. Three Legislative appointees from the 119th Legislature did not return to Legislative service in the 120th Legislature, but were offered the opportunity to continue their service on the Commission as nonvoting ad hoc members.⁹ A copy of the membership of the Commission in 2001 is attached as Appendix B.

The purpose and duties of the Commission as set forth in Resolves of 2001, chapter 68, were to:

- 1. Oversee the surveys of gasoline consumption by all-terrain vehicles, snowmobiles and watercraft undertaken by the Margaret Chase Smith Center for Public Policy at the University of Maine pursuant to a cooperative agreement between the University and the Department of Conservation, the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Department of Transportation as provided in a contract among those entities signed in November 2000. That oversight must include regular meetings during 2001 with the University and interested parties to assist in the development of the surveys and to review and discuss the results of each survey;*
- 2. Seek input from the public; from organizations representing snowmobile, all-terrain vehicle and watercraft users, including the Maine Snowmobile Association, groups representing all-terrain vehicle users and the Maine Marine Trade Association; and from any other interested individuals or organizations. In seeking that input, the commission shall, within its budgeted resources, hold its meetings in geographically diverse locations throughout the State;*

⁹ The Legislative members appointed by the 119th Legislature who did not return to Legislative service in the 120th Legislature were former Senator Richard Ruhlin, former Senator Leo Kieffer and former Senator Judy Paradis. Senator Kenneth Gagnon, Senator Richard Kneeland and Senator Christine Savage were appointed by the 120th Legislature to replace those members for the second year of the Commission's study. Resolves of 2001, chapter 68, extended to the three former Senators the opportunity to continue their service on the Commission during the 120th Legislature as nonvoting ad hoc members.

3. *Review and report on any updates or supplemental information prepared by the Department of Inland Fisheries and Wildlife, the Department of Conservation or the Department of Marine Resources pertaining to the strategic boating plan prepared by those agencies pursuant to Resolve 1999, chapter 131; and*
4. *Collect other data and make other recommendations the Commission considers appropriate on the issue of off-road fuel consumption or on any other matter pertaining to off-road recreational vehicle use.*

STUDY PROCESS; MEETINGS, SURVEY RESULTS AND UPDATES TO LAST YEAR'S REPORT

Meetings

The Commission's work during calendar year 2000 was presented to the First Regular Session of the 120th Legislature in its report dated December 2000.¹⁰ This report summarizes the work of the Commission during calendar year 2001, the second year of its 2-year study process.

The Commission held five meetings in 2001; on April 9th, July 26th, August 23rd, November 20th and on December 17th. The purposes of those meetings were to provide policy guidance and general oversight of surveys that were undertaken on behalf of the Commission by the Margaret Chase Smith Center for Public Policy at the University of Maine on gasoline consumption by snowmobiles, all-terrain vehicles and motorboats and to develop policy recommendations for consideration by the Legislature on matters relating to equity in the distribution of gasoline taxes paid by those user groups.¹¹

SURVEY RESULTS

In 2001, the Margaret Chase Smith Center for Public Policy completed surveys of all-terrain vehicle users, snowmobilers and boaters on behalf of the Commission for the purpose of estimating the annual gasoline consumed by those users while engaged in those activities.

Table 3 (page 27) presents historical data on allocations of gasoline tax revenue for snowmobile, boating and all-terrain vehicle programs and the estimates of gasoline taxes actually paid by the those user groups as estimated by the

¹⁰ Final Report of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft. Maine State Legislature. Office of Policy and Legal Analysis. December 2000.

¹¹ The surveys were undertaken by the Margaret Chase Smith Center for Public Policy at the University of Maine for the Commission pursuant to a state/university cooperative agreement approved by the State's contract review committee on November 19, 2000.

surveys conducted on behalf of the Commission. As can be seen from this table, data from those surveys indicates that gasoline use by recreational snowmobilers, all-terrain vehicle users and boaters is generating at least \$1.1 million per year more in gasoline tax revenues than was allocated for those programs in Fiscal Year 2001.

Table 4 (page 28) shows more details about the distributions of gasoline tax revenues to the Departments of Conservation, Inland Fisheries and Wildlife and Marine Resources for All-terrain vehicle, snowmobile and boating programs.

Discussion of survey results

The complete reports for each of those surveys are attached as Appendix D (All-terrain vehicles), Appendix E (Snowmobiles) and Appendix F (motorboats). A summary of the findings in each of those reports is presented below.

In reviewing the results of the gasoline consumption surveys presented here, it is important to keep in mind that all the evidence available to the Commission indicates that off-road recreational vehicle use in Maine will continue to increase substantially in the future. Table 5 (page 29) shows that a basic forecast of the gasoline tax revenues from gasoline sold for off-road recreational use projects those annual revenues to increase by approximately \$700,000 by the year 2010.

All terrain vehicles¹²

The report on gasoline consumption by snowmobilers was based on a survey of ATV users whose ATVs were registered in the State of Maine during 2000. In April and in June of 2001, telephone interviews were completed with 671 randomly selected Maine ATV owners. The study had a cooperation rate of 78% among persons who were successfully contacted. These data show that the average registered ATV consumed 43.6 gallons (rounded to the nearest tenth) of gasoline during the most recent one-year period ending in April 2001. It is appropriate to use the mean for the calculation of gasoline use because of its statistical properties, however, to describe typical gasoline use the median is also useful. The median for this distribution is 25 gallons.

¹² Estimates for total gasoline consumption and total gasoline taxes paid by ATV users as a group are approximately 9% higher here than in the ATV report prepared by the University of Maine. The difference is a result of updating the number of registered ATVs to reflect the actual total number of ATVs registered in Maine between 7/1/00 and 6/30/01. Since the survey sample was drawn during the spring of 2001, the number of registered ATVs used by UM was based on the number of ATVs registered during only a portion of that program year, from July 2000 to January 2001 (39,643). The total number of ATVs registered over the entire program year, however, was subsequently determined to be 45,796 ATVs. Updating these totals from 39,643 to 45,796 does not affect the estimate of average consumption per machine, but does proportionally increase the total consumption estimate for all ATVs.

Approximately 96% of all gasoline used in these ATVs was purchased in Maine. Since there were 45,796 registered ATV's between July 1, 2000 and June 30, 2001, this means that the total annual fuel consumed in Maine by Maine registered ATVs, adjusted for out-of-state purchases, was 1,922,841 gallons. The excise tax on gasoline imposed by the State of Maine is \$0.22 per gallon. Therefore, the operator of a Maine registered ATV pays on average \$9.24 per year per ATV, and operators of all Maine registered ATVs together pay \$423,025 per year in Maine gasoline fuel excise taxes. Since these data were gathered from a random sample rather than the entire population of all Maine registered ATVs, the quantity of average and total fuel use and average and total taxes paid is subject to error. This sampling error is typically quantified by confidence intervals based upon the sample data. A 95% confidence level means that in 95 out of 100 samples of the same size, the true average fuel use of the population of all ATVs will be within the confidence interval. The confidence interval for average fuel use, regardless of where purchased, per registered ATV ranges from 38.95 to 48.17 gallons per year. For gasoline purchased in Maine, the 95% confidence interval ranges from 37.56 to 46.42 gallons per year. The total quantity of tax paid to Maine by Maine-registered ATVs, after accounting for out-of-state purchases, ranges from \$378,422 to \$467,687 with the expected (mean) value of \$423,025. Total gas tax collections for fiscal year 2001 were \$148,187,279 with \$64,331 returned to the ATV Recreational Management Fund. Gas tax revenues attributable to Maine registered ATVs therefore represent 0.29% of all State gasoline excise tax receipts. At the same time, the revenues returned to the ATV Recreational Management Fund represent 15.2% of the estimated revenues collected from Maine registered ATVs.

Snowmobiles

The report on gasoline consumption by snowmobilers was based on a survey of snowmobile users whose snowmobiles were registered in the State of Maine during 2000. In June of 2001, telephone interviews were completed with 635 randomly selected Maine resident and nonresident snowmobile owners. The study had a cooperation rate of 82% among persons who were successfully contacted. The survey data show that the operators of registered snowmobiles purchased an average of 87.4 gallons (rounded to the nearest tenth) of gasoline during the most recent one-year period ending in June 2001. It is appropriate to use the mean for the calculation of gasoline use because of its statistical properties, however, to describe typical gasoline use the median is also useful. The median for this distribution is 55.5 gallons.

Since there were 95,334 (in-state and out-of-state) registered snowmobiles this means that the total quantity of fuel purchased in Maine in 2000 by Maine-registered snowmobiles was 8,336,275 gallons.¹³ The excise tax on gasoline

¹³ The number of registered snowmobiles used here may differ very slightly from the number in the InforMe database. The difference is attributable to cleaning up the data to eliminate duplicate records and to eliminate the seven snow groomers actually registered as snowmobiles.

imposed by the State of Maine is \$0.22 per gallon. Therefore, the operator of a Maine-registered snowmobile pays on average \$19.24 per year per snowmobile, and operators of all Maine-registered snowmobiles together pay \$1,833,981 per year in Maine gasoline fuel excise taxes. This estimate does not include gasoline use by snow groomers, which are included in the snowmobile registration records. Since these data were gathered from a random sample rather than the entire population of all Maine registered snowmobiles, the quantity of average and total fuel purchased and average and total taxes paid are subject to error. This sampling error is typically quantified by confidence intervals based upon the sample data. A 95% confidence level means that in 95 out of 100 samples of the same size, the true average of fuel purchases for the population of all resident and nonresident registered snowmobiles will be within the confidence interval. The confidence interval for average fuel purchased in Maine per registered snowmobile ranges from 80.1 to 94.8 gallons per year. The total quantity of tax paid to Maine by operators of Maine-registered snowmobiles falls within the range from \$1,679,908 to \$1,988,053 with the expected (mean) value of \$1,833,981. Total gas tax collections for fiscal year 2001 were \$148,187,249 with \$886,339 returned to the Department of Conservation's snowmobile trail fund and \$71,479 returned to the Department of Inland Fisheries and Wildlife to support snowmobile registration. Gas tax revenues attributable to Maine-registered snowmobiles therefore represent 1.24% of all State gasoline excise tax receipts. At the same time, the revenues returned to support snowmobile programs represent 52.2% of the estimated revenues collected from Maine-registered snowmobiles.

Motorboats

The report on gasoline consumption by boats is based on results of a survey of gasoline powered watercraft users whose watercraft were registered in the State of Maine during 2001. In October of 2001, telephone interviews were completed with 647 randomly selected owners of watercraft registered in Maine. The study had a cooperation rate of 82% among persons who were successfully contacted. The survey data show that the operators of registered watercraft purchased an average of 69.3 gallons of gasoline (rounded to the nearest tenth) in Maine during the most recent one-year period ending in October 2001. It is appropriate to use the mean for the calculation of gasoline use because of its statistical properties, however, to describe typical gasoline use the median is also useful. The median for this distribution is 20 gallons.

Since there were 117,021 watercraft registered in Maine in 2000, this means that the total quantity of gasoline purchased in Maine for Maine-registered watercraft was 8,105,728 gallons in the one-year season ending in October 2001.¹⁴ The excise tax on gasoline imposed by the state of Maine is \$0.22 per gallon. Therefore, the operator of a Maine-registered watercraft pays on average \$15.24 per year, and operators of all Maine-registered watercraft pay \$1,783,260 per

¹⁴ Excludes state and municipally owned motorboats.

year in Maine gasoline fuel excise taxes. Since these data were gathered from a random sample rather than the entire population of all Maine registered watercraft, the quantity of average and total fuel purchased and average and total taxes paid are subject to error. This sampling error is typically quantified by confidence intervals based upon the sample data. A 95% confidence level means that in 95 out of 100 samples of the same size, the true average of fuel purchases for the population of all Maine-registered watercraft will be within the confidence interval. The confidence interval for average fuel purchased per Maine-registered watercraft ranges from 57.0 to 81.6 gallons per year. This translates into a 95% confidence interval for total gasoline purchased in Maine of 6,665,619 to 9,545,838 gallons per year in the year ending October 2001. The total quantity of gasoline excise sales tax by operators of Maine-registered watercraft ranges from \$1,466,436 to \$2,100,084 with the expected (mean) value of \$1,783,260. Total gas tax collections for fiscal year 2001 were \$148,187,249. Gas tax revenues attributable to Maine-registered watercraft therefore represent 1.2% of all State gasoline excise tax receipts. At the same time, the revenues returned to support watercraft programs represent 113.9% of the estimated revenues collected from Maine-registered gasoline powered watercraft. Additional gasoline excise taxes are paid by watercraft used in Maine but registered out-of-state or with the U.S. Coast Guard.

Commission questionnaire to marinas

In its planning for the survey of recreational boaters, the Commission concluded that there was no reasonable and affordable way to obtain a list of addresses for people who use their boat in Maine but who are not required by law to register their boat in Maine. Those boaters include out-of-state residents who keep their boats in Maine for fewer than 60 consecutive days per year and boats documented by the U.S. Coast Guard. The Commission was interested in including that population of recreational boaters in their survey, since anecdotal evidence suggests that a significant number of recreational boating in Maine involves non-residents.

Although there was no method available for the Commission to include those boaters in the survey, the Commission asked the Office of Policy and Legal Analysis to work with the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to develop a list of marinas and to send those marinas a questionnaire inquiring about their gasoline sales to boats. The purpose of the questionnaire was to help the Commission better understand if recreational boats that operate in Maine but that are not registered in Maine are consuming a small, medium or large percent of the total amount of gasoline consumed in Maine by all recreational boaters.

The summary of the responses to that questionnaire, which was mailed to 239 marinas throughout the state, is attached as Appendix G. A brief summary of those responses is presented below.

- Fifty-four percent (130 out of 239) marinas responded to the questionnaire;
- The distribution of marinas (by volume of gasoline sold) is roughly similar for the fresh and salt-water marinas that responded to the survey, although a noticeably larger percentage of fresh-water marinas than salt-water marinas reported sales greater than 25,000 gallons;
- Similar patterns were reported between fresh-water and salt-water respondents with respect to the percentages of gasoline they sell to boats. In both cases, the large majority of the marinas reported selling more than 75% of their gasoline to boaters;
- Perhaps the most noticeable difference between the fresh-water and saltwater respondents, which showed that a large majority (77%) of the fresh-water respondents reported that they sold more than 75% of their gasoline to recreational boaters while a minority (29%) of the salt water respondents reported that more than 75% of their sales were to recreational boaters;
- A larger percentage of salt-water respondents (29%) reported selling more than 75% of their gas to commercial boats than did fresh-water respondents (8%);
- 38% of the fresh-water and 41% of the salt-water respondents reported selling less than 25% of their gasoline to out-of-state boaters;
- Most of the fresh-water and salt-water respondents report selling from 0-25% of their gasoline to documented vessels;
- A large majority of fresh and salt-water respondents reported having an “average” summer with respect to gasoline sales. More fresh-water marinas reported having an “above average” summer and more salt water marinas reported having a “below average” summer. Only one marina

Updates on recommendations from last year’s report

Bond issue. In its report of December, 2000, the Commission recommended that the Legislature authorize a General Fund transportation bond issue in the amount of \$2.9 million for bridge improvements to fund snowmobile crossing lanes at certain highway bridges and to fund high priority boating and fishing access projects at other bridges scheduled for replacement within the next two years. That recommendation was subsequently adopted by the Legislature and became part of a \$61 million General Fund bond issue that was approved by a

majority of the voters in the November 6, 2001, election.¹⁵ The \$2.9 million includes \$2 million to fund high priority snowmobile crossing projects on bridges in Forks, Bethel, Bingham, Canton and Ashland and \$900,000 to fund high priority boating and fishing access opportunities that were identified jointly by an interagency task force comprised of the Departments of Transportation, Conservation, Inland Fisheries and Wildlife and Marine Resources. A list of those projects and their estimated costs, which the Commission endorsed in its December 2000 report, is attached as Appendix H.

Updates to last year's recreational vehicle plans

The Commission's December 2000 report to the Legislature included a comprehensive strategic plan on issues pertaining to public access to Maine waters.¹⁶ This section of our report provides an update to that strategic plan with respect to the current status of the Boating Facilities Fund within the Department of Conservation and an action plan for the fund under various funding level options.

The Boating Facilities Fund

Revenues to the Boating Facilities Fund are derived from gas tax allocations to the Department of Conservation and are capped by law at not more than \$2 million annually.¹⁷ Over the past six fiscal years (FY 96 to FY 01) allocations to the boating facilities fund have averaged \$1.55 million dollars per year.¹⁸ Over that same time period, however, expenditures from the fund have increased. The fund has been able to continue operating without a deficit by drawing down on its unexpended balances. The cash balance at the beginning of FY 2002 was \$1,596,925.¹⁹

Emerging Issues for the Boating Facilities Fund

- At projected funding levels, the Boating Facilities Fund cannot maintain and renovate existing public access sites and provide new access sites at the pace it has for the last six years, and may not be able to continue to meet the objectives set forth in the 1995 Strategic Plan.

¹⁵ The \$2.9 million for snowmobile crossings and fishing access was part of a \$61 million General Fund bond issue which was reported from the Joint Standing Committee on Appropriations and Financial Affairs as LD 1504 and enacted as P&S 2001, chapter 38. The bond referendum appeared as question #3 on the November 6, 2001 ballot and received the support of 74% of the voters in that election.

¹⁶ See: Appendix E. Final Report of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft. Maine State Legislature. Office of Policy and Legal Analysis. December 2000

¹⁷ See MRSA, Title 36, section 2903-A.

¹⁸ See Table 4 (page 28).

¹⁹ Provided by the Department of Conservation

- Current staffing levels in both the DOC and DIF&W limit the amount of work that can be accomplished, how well the work is done, and how effectively program staff can address issues raised by local residents.
- Without additional funds, the new opportunity presented by the Land for Maine's Future Program's Public Access to Maine Waters Fund to acquire access sites, and access enhancements identified by the Maine Department of Transportation's Public and Recreational Access Committee, cannot be fully realized except at the expense of current activities.

The Department of Conservation projects that the Boating Facilities Fund's cash balance of \$1,595,925 (6/30/01) will be reduced to less than \$540,000 at the end of FY 2002, and less than \$370,000 at the end of FY 2003. This is the minimum cash balance needed at the beginning of each fiscal year to ensure that outstanding encumbrances can be honored and the fixed costs of administering the Boating Facilities Program met while waiting for additional cash to become available through the monthly transfer of gas tax income. This level of cash balance does not provide a reserve for taking advantage of acquisition opportunities that may develop before funds are available, such as through the Lands for Maine's Future Water Access Fund. (The Commission believes that without an increase in funding, monies available for grants, the state acquisition and development of new sites, and the renovation of existing sites will be reduced to about \$400,000 per year, a significant reduction from the recent years, when such expenditures exceeded \$800,000 annually.

The department projects that, at current funding levels, State programs will continue to renovate, develop, and acquire sites for public access to Maine's waters as expeditiously as possible, guided by the policies of the 1995 strategic plan and assisted wherever possible by leveraged state or federal monies. Because the cash balance of the Boating Facilities Fund is projected to be drawn down, the rate of access enhancements achieved from 1995-2001 cannot be sustained. Further, despite strong public support for accelerated acquisition of sites, current funding will not allow agencies to take full advantage of new opportunities embodied in the Land for Maine's Future's Water Access Fund or identified by Maine Department of Transportation's Public and Recreational Access at Water Crossings and Properties Adjacent to Water Committee.

Details on the department's update to the Boating Facilities Fund plan are attached as Appendix I.

Snowmobiles and all-terrain vehicle program updates

The Commission also received an update from the Department of Conservation on changes made to the snowmobile and ATV budget and program priorities since last year. The updated priorities and program funding details presented to

the Commission are attached as Appendix J. The changes noted by the department in those updates are:

- Moving division staffing and maintenance of bureau-owned facilities to the highest priority;
- Reducing the snowmobile capital equipment line due to legislation enacted during the 1st Regular Session of the 120th Legislature which increased resident and nonresident snowmobile registration fees and dedicated that increase towards programs contracted with the department to provide snowmobile trail grooming services; and ²⁰
- Adding a line item for ATV law enforcement grants to address the rapidly escalating ATV-related complaints about misuse and abuse of private land in Maine. The department is planning to create a grant program to assist local police or county sheriffs to acquire the tools and partially fund the cost of local law-enforcement within communities.

Enforcement updates for Boats, Snowmobiles and ATVs

The Commission's 2001 report contained recommendations for an expanded law enforcement program within the Department of Inland Fisheries and Wildlife, Maine Warden Service. Information obtained since that reports indicates that the 2001 recommendations for expanded programs did not adequately reflect the growing interest all-terrain vehicles and the public concerns associated with such growth. As a result, the Maine Warden Service has provided the Commission with revisions to its original recommendations for an expanded recreational vehicle enforcement program. Those revisions are attached as Appendix K.

In developing these updates, consideration has been made to the seasonal aspects of recreational vehicle use and the public concern associated with the rapid growth of interest in ATV riding. The revised program reflects a substantial increase for ATV enforcement where the current program is minimal and a sustentative increase is necessary to answer the growth and public concerns of the sport. Additional consideration is made to the potential for year round use of ATV's.

The revised program expansion for watercraft and snowmobile enforcement reflects smaller program increases as they are applied on a seasonal basis. The watercraft and snowmobile programs occur in opposite seasons allows for the increase in enforcement effort to be more focused.

In addition to the recommended increase in warden effort, an enforcement grant program for county and municipal law enforcement agencies should be explored.

²⁰ Public Law of 2001, chapter 254. Derived from LD 1294.

There are approximately 135 such enforcement agencies in the State of Maine. The potential for a subsidized and localized enforcement effort for recreational vehicles could relieve some of the burden for response by the Maine Warden Service.

Methodological issues and future research

Maine is one of few states that have attempted to use scientific, empirical methods to arrive at an estimate of the amount of gasoline used. Accordingly, Maine is in a position to be a model for other states that currently use estimates less quantitatively derived.

There were challenges however in implementing the surveys. In each of the three surveys — of ATV operators, snowmobilers, and boaters — there were different design and implementation issues. Those issues are outlined in this section, along with a discussion of how to anticipate and address in future research.

Research issues

Timing of availability of registration records for sampling

An optimal schedule for this research would have the different types of off-road vehicle registration files complete at the end of the usual operating season. We understand that the primary purpose of registration files is to document the receipt of registration fees and serve as a resource for mailing information to registrants. For those purposes, it is not currently necessary to have the records entered until it is time for registrations to be renewed. Entering the data from paper records is a considerable effort. It is hoped that an automated system will ease at least some of the burden of data entry and facilitate use of the records for research and information purposes. As public policy researchers, we often use data files for purposes for which they were not originally intended and for which they are not optimally designed, and we understand that data files are not designed and maintained for our convenience.

In the ATV study, it was determined only after the initial survey had been completed, data analyzed, and the report written and presented, that the State's provider of data files, *InforMe*, had not provided us a complete registration file from which to take the sample. It was clear to us that InforMe did not know how many records to expect, and did not know they did not have all the registrations on file. Because of our ensuing discussions with them and with state agencies it is now likely that all parties have a better understanding of that process of data entry and dissemination.

Although it was unlikely that the addition of the late-processed cases would alter the gasoline-use estimates, we drew an additional sample and conducted

interviews to be appended to the original database, reanalyzed the data, and rewrote the report. As expected, the results obtained with the addition of the late cases did not statistically differ from those in the original study. However, the additional sampling and interviewing required the unanticipated expenditure of resources.

Following that experience, the Department of Inland Fisheries and Wildlife worked very hard to assure that the snowmobile files were complete and ready for sampling before the snowmobile study was begun.

Completeness of the electronic registration record

Telephone numbers.

None of the registration files available during this survey included telephone numbers, even though that information is requested of registrants on the paper registration forms. It was therefore necessary to search for the numbers before the interviewing could begin. This unexpected effort was labor-intensive. There were many persons for whom we could not find telephone numbers, and many that appeared to have been found were later determined to be incorrect. The result was considerable inefficiency in the study implementation, as well as a lower completion rate than would otherwise have been possible. The Department of Inland Fisheries and Wildlife has assured the Commission that telephone numbers will be included in the digital records maintained on registrants after the new registration program is implemented. That improvement will make future surveys more efficient.

Descriptive information in snowmobile temporary registration files

In the snowmobile portion of the study, it was necessary to sample not only from the regular Maine registration files, but also from an auxiliary file of mostly out-of-state 3-day and 10-day nonresident season registrations. The information in these registration files was less complete than that in the Maine regular season registrations, and describes persons rather than sleds. In particular, it does not contain the make of the sled, horsepower, year of manufacture, or three- or ten-day or nonresident season registration type. For our purposes, the file should be based on vehicles, not on persons, because gasoline use projections are based on vehicles, not persons (who may have multiple vehicles). We were able to devise a random method for the 3- and 10-day list to select one sled to ask about once a household with multiple sleds had been contacted, but it is preferable not to introduce an additional sampling stage for some households and not for others. We also encountered many duplicate names in the temporary registration files. It appears that occasionally one person registers for his or her companions in a riding party. When that occurs there is no way to include the other party members' sleds in the sample.

Gasoline use amounts asked on registration forms

At the time a motorboat is registered, the applicant is required to estimate the gallons of gasoline consumed by that boat. That information is not, however, entered into the electronic registration file. Even though there would be reservations about the accuracy of that information, it could be compared with survey results to see whether or not it is possible to develop a formula to adjust the registration reports to a more reliable figure. Otherwise, registrants not are asked to report information that will not be used.

Estimating gasoline use by out-of-state vehicles used in Maine

The issue of whether and how to include gasoline use in out-of-state vehicles was a factor in the discussions about the research design for each of the three types of off-road vehicles. The issues particular to each type of recreational vehicle are discussed below.

ATVs. In the ATV study we encountered a few out-of-state addresses, and interviewed those persons. However, it is likely that many more neighboring New Hampshire, Quebec, and New Brunswick ATV riders cross Maine's boundary to ride here, and they probably buy some gasoline here. A survey of bordering registration holders would yield this information.

Snowmobiles. Likewise, the snowmobile study presented some issues concerning nonresidents. Temporary permits or out-of-state season registrations are required for nonresidents riding in Maine, which makes it possible to sample from the out-of-state users. There are some limitations in the amount of information recorded about out-of-state vehicles, however, and these are described above.

Boats. The boat survey proved to be the most difficult with respect to obtaining any information on gasoline use by boats not registered in the state. Accounting for gasoline consumption by boats not registered in Maine was, and remains, problematic. No independently verified data is available on the number of boats trailered into Maine for recreational use. Even if that number were known, it is not known how much gas those boats consume while in Maine. The Maine Department of Environmental Protection has recently estimated however, based on data collected as part of its research on the threats of invasive aquatic species, that as many as 45-50,000 motorboats are trailered into Maine between July and September. If that number is accurate, the total number of recreational boats being used in Maine would be 35-40% higher than the number of boats registered in Maine which was used to estimate gasoline consumption by boats.

In the course of the project, various methods were suggested for ascertaining or estimating the number or proportion of boats from out-of-state that enter Maine. Even for that limited purpose, these methods proved inadequate.

- One proposed method of estimating boats entering the state was to determine the number of invasive plant information pamphlets handed out at tollbooths. However, there is apparently no way of obtaining an unduplicated count of the number of boaters based on the number of leaflets handed out (i.e., individuals may have received several copies at different locations). It is also likely that many of the leaflets were distributed in some other fashion. It is also not known how many of those boaters made repeat visits to Maine.
- Attempting to estimate the number of boats trailered in by counting the numbers of axles for which tolls were paid was discussed, however it does not appear to be able to provide reliable data since many items that are not boats are hauled in similar trailers.
- Harbormasters keep records of moorings, which are an indicator of only one type of out-of-state visitor: those who moor their boats in the rivers and harbors. Those boats, and their use, are likely to be atypical.
- While a crew of observers could stand on overpasses and other entry points and count boats entering the state at a sample of times of the day and days of the week, it would not be possible for them to accurately discern the horsepower of the motor, nor always to read the state of registration. Many of the boats would no doubt be Maine boats returning from use in other states. And, of course, they could not tell where the boater was going and what use was eventually to be made of the boat.

The “documented boat” issue

Federal law allows vessels of five tons or more to be documented by the U.S. Coast Guard rather than being registered in individual states. Although most of those vessels are powered by diesel engines, the Commission recognized that some gasoline consumption occurs within that group of vessels and investigated the options available for determining the owners of those vessels for survey purposes. The Coast Guard does maintain files of documented vessels that include the declared “home port” of the vessel and the Commission determined that that list included 5,940 records that have Maine in either or both the hailing port or the port of documentation fields. Although documented vessels with Maine hailing ports or ports of documentation could have been added to the list of Maine registered watercraft and included in the population from which the survey sample was to be drawn, the Commission decided that the resources necessary to collect that data were not available at this time. It would be useful in future survey efforts if the Coast Guard were to include that information in their electronic records of documented vessels, since it would allow researchers to draw a random sample from documented vessels known to burn gasoline, rather than from the much larger population of all documented vessels.

The “marina” method of estimating gas purchases by nonresidents

A potentially useful method of determining gas purchased at marinas in Maine without knowing the number of out-of-state watercraft or having a list of them is to: (1) identify the total amount of gas sold at marinas/pumps along the coast, using a survey method with the goal of obtaining that information for all gas outlets (i.e., not for a sample); (2) use a stratified sample to conduct interviews with an adequate over sample of larger Maine-registered gasoline-using boats that operate in salt water, in order to be more confident in the amount of gasoline sold to that subset of boats; and take a conventional sample of boats of all sizes; (3) determine the amount of gas purchased at marinas by Maine registered boats through the planned phone survey (as well as the gas purchased elsewhere); (4) weight the resulting data so that the larger boats do not disproportionately contribute to the total gasoline sales figure; and (5) subtract that figure from the total amount of gasoline sold at marinas. The result would be the amount of gasoline sold to non-Maine registered watercraft at marinas. The Departments of Marine Resources and Inland Fisheries and Wildlife have provided a list of those marinas/pumps. The Office of Policy and Legal Analysis has conducted a pilot study by mail, and achieved a respectable return rate, which indicates that a more systematic study could be effectively conducted.

Gas sold at service stations and convenience stores

Absent a registration requirement for out-of-state short-term boaters (like that for snowmobilers) that would produce a list from which to sample and conduct interviews, it would be exceedingly difficult and expensive to conduct a study to ascertain the amount of gasoline purchased at service stations and convenience stores.

Issues to consider in future studies

The studies conducted this year represent only one point in time. Analysis of change and the factors that affect change to produce a predictive model of gasoline use can best be conducted from a longer-term research effort. That research can also serve other information purposes in addition to the estimation of gasoline use. In conducting future research, the Commission recommends:

- ***Examine existing data more thoroughly.*** Conduct a longitudinal study of the information in the vehicle registration files and related data for past years. In the registration files, examine the limited number of factors that can reasonably be thought to affect change in the amount of gasoline usage. Most of these are the subjects of anecdotal discussion, and they bear further systematic examination. These factors include changes in the number of registrations, changes in engine size over time; changes in the

types of vehicles, changes in the geographic distribution of the vehicles, changes in the age of the vehicles, “retirement” of vehicles and the vehicle age at which that occurs and changes in the rate at which new and used vehicles enter the registration files. In addition, further study can be conducted on related information, such as demographic data, annual weather data, consumer-related economic data, gasoline prices, number of miles of trails and other facilities.

- **Gather detailed information.** To learn more about equipment, patterns of use and gasoline purchases, gather detailed information about engine use patterns and equipment. In addition, in the boat survey, over sample larger boats to increase confidence in their gas consumption figures, then weight the data to include them in proper proportion in the analysis.

Future studies could be conducted as “omnibus” studies in which government agencies, and possibly interested parties with the consent of the agencies, could purchase time for questions of immediate interest, for purposes of planning or evaluation of related programs, facilities, or policies. The parties to the study could share at least part of the costs of questions held in common, such as machine and user characteristics. Those who purchase specific questions could receive customized sets of results and analysis.

- **Conduct a “journaling study.”** In the next non-study year, agencies may wish to conduct a smaller-scale study in which randomly selected users of the vehicles are engaged in keeping a structured journal of their gasoline purchases and riding habits. Respondents would be contacted frequently for their gasoline use reports. The resulting data would help us understand more about the accuracy of recall, and about use patterns, particularly those related to engineering models of fuel use. The information would help shape the design and the analysis of any future studies, as well as provide gasoline use data in an interim year to bolster the analysis of the data in the baseline and two following surveys.
- **Survey marinas.** Pursue the “gas sold at marinas” approach to estimate out-of-state boat gas purchases, in combination with the biennial surveys of users.

TABLE 1

Actual FY '01 Gas Tax Allocations for Motorboat, Snowmobile and All-Terrain Vehicle Programs and Funding Levels Recommended by a Majority of the Gas Tax Equity Study Commission

Note: Actual Total FY 2001 Gas Tax Collections = \$148,187,279 (source: OFPR)

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| | | | | | | | (Majority Recommendation) Increase funding by \$537,310 per year (50% of difference) | Funding Level if increased by \$1,074,620 per year (100% of difference) | | |
|-----------------------------|--|--|--|---|---|---------------------------|--|--|--|---|
| | | | | | | | Majority Recommendation for Allocations from Gas Tax Revenues | Percent of Total FY 01 Collections if funded at 50% difference between actual and survey levels | Allocations if funded at 100% of Survey Findings | Percent of Total FY 01 Collections if funded at 100% difference between actual and survey levels |
| | Actual FY 01 Allocations from Gas Tax Revenues | Actual FY 01 Allocations as a Percent of Total FY'01 Gas Tax Collections | Survey Estimate of Gas Taxes Paid by Each user Group | Survey Estimate as a Percent of Total FY 01 Allocations | Difference between survey estimate and actual FY 01 Allocation | | | | | |
| Motorboats ¹ | | | | | | | | | | |
| Total Share for Boats | \$1,943,497 | 1.312% | \$1,783,260 | 1.203% | (\$160,237) | \$2,137,847 | 1.443% | \$2,137,847 | 1.443% | |
| DMR's Share for Boats | \$388,699 | 20.00% | n/a | n/a | n/a | \$583,049 ⁵ | 27.27% | \$583,049 ⁵ | 27.27% | |
| DOC's Share for Boats | \$1,554,798 | 80.00% | n/a | n/a | n/a | \$1,554,798 ⁶ | 72.73% | \$1,554,798 ⁶ | 72.73% | |
| Snowmobiles ² | | | | | | | | | | |
| Total Share for Snowmobiles | \$957,818 | 0.646% | \$1,833,981 | 1.238% | \$876,163 | \$1,109,250 ⁸ | 0.749% | \$1,545,854 | 1.043% | |
| IFW's Share for Snowmobiles | \$71,479 | 7.46% | n/a | n/a | n/a | \$165,611 ⁷ | 14.93% | \$230,796 | 14.93% | |
| DOC's Share for Snomobiles | \$886,339 | 92.54% | n/a | n/a | n/a | \$943,639 ⁷ | 85.07% | \$1,315,058 | 85.07% | |
| ATV's ³ | | | | | | | | | | |
| Total Share For ATV's | \$64,331 | 0.043% | \$423,025 ⁴ | 0.285% | \$358,694 | \$255,859 | 0.173% | \$356,566 | 0.241% | |
| DOC's Share for ATV's | \$64,331 | 100.00% | n/a | n/a | n/a | \$127,930 ⁹ | 50.00% | \$178,283 | 50.00% | |
| IFW's Share for ATV's | n/a | n/a | n/a | n/a | n/a | \$127,930 ¹⁰ | 50.00% | \$178,283 | 50.00% | |
| TOTAL | \$2,965,646 | 2.001% | \$4,040,266 | 2.726% | \$1,074,620 | \$3,502,956 ¹¹ | 2.364% | \$4,040,266 | 2.726% | |

1. Current law (36 MRSA, §2903-A) distributes 2% of total gas tax collections for motorboat programs, not to exceed \$2,000,000 in any one year. Commercial rebates are deducted from that amount and the remainder split between DMR (20%) and DOC (80%).

2. Current law (36 MRSA, §2903-B) distributes 0.67% of total gas tax collections for snowmobile programs. (0.05% of total collections to IF&W and .62% of total collections to DOC):

3. Current law (36 MRSA, §2903-C) distributes 0.045% of total gas tax collections for ATV's to DOC.

4. Calculated as the average annual ATV tax payment (\$9,237/year) times the total ATV registrations from 7/1/00 to 6/30/01 (45,796).

5. This represents the actual FY 01 motorboat allocation to DMR plus an additional 10% of the total allocation for motorboats (\$388,699 + \$1,943,497/10 = \$583,049).

6. This keeps the allocation to DOC the same as the actual FY 01 allocation to avoid reducing gasoline tax allocations to that department for boating programs.

7. The current statutory formula provides IFW with 7.46 cents of each dollar allocated for snowmobiles. The Commission's recommendation was to double IFW's share, which increases it to 14.93 cents for every dollar allocated.

8. Total snowmobile gas tax distributions under these recommendations is 0.749%.

9. ATV program allocations are split 50/50 between DOC and IFW.

10. ATV program allocations are split 50/50 between DOC and IFW.

11. Calculated as the Actual FY 01 Allocation plus one half difference between the actual allocation and the survey estimate total (\$1,074,620/2 = \$537,310).

TABLE 2

SUMMARY OF GAS TAX EQUITY COMMISSION STUDY FINDINGS GASOLINE CONSUMPTION BY OFF-ROAD RECREATIONAL VEHICLES

| A Vehicle Type | B Number Registered | C Median Gallons Used | D Average Gallons Used | E Total Gallons Used (B x D) | F Tot. Gas Tax Paid (E x 0.22) | G FY '01 Program Funding from Gas Tax | H Difference Funding - Tax Pd (G-F) |
|----------------------|---------------------------|-----------------------------|------------------------------|---------------------------------------|---|--|--|
| Motorboats | 117,021 | 20.0 | 69.3 | 8.1 M | \$ 1,783,260 | \$ 1,943,497 | \$ 160,237 |
| Snowmobiles | 95,334 | 55.5 | 87.4 | 8.3 M | \$ 1,833,981 | \$ 957,818 | \$ (876,163) |
| ATV | 45,796 | 25.0 | 43.6 | 2.0 M | \$ 423,025 | \$ 64,331 | \$ (358,694) |
| | | | | | | | |
| | | | | | | | |
| | | | TOTAL | 18.4 gal. | \$4.04 M | \$2.97 M | -\$1.07 M |

Total Gas Tax Collections for FY 01: \$ 148,187,279.

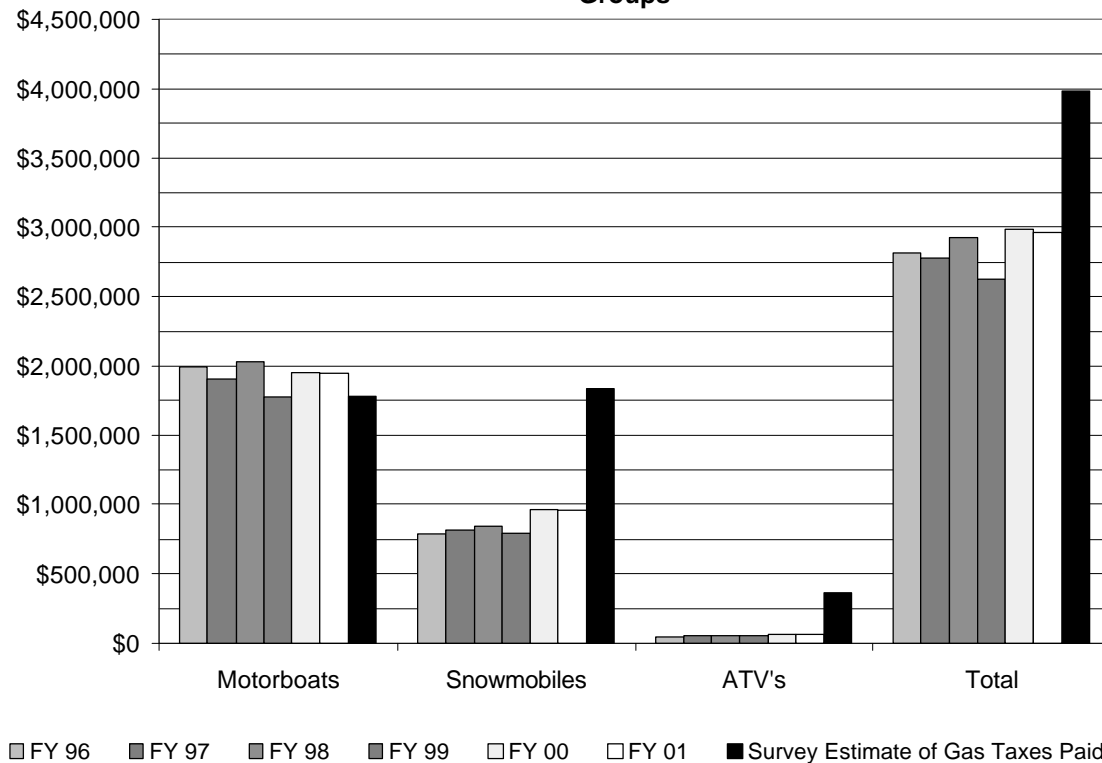
MINORITY RECOMMENDATIONS FOR GAS TAX FUNDING FOR OFF-ROAD RECREATIONAL VEHICLES CONTINGENT UPON NEW HIGHWAY FUND REVENUE & CAPS 12/27/01

| A Vehicle Type | B Number Registered in Maine | C Est. Total Gas Tax Paid by Veh. Type | D FY '01 Program Funding from Gas Tax | E Proposed Statutory Funding Funding Cap | F \$ Increase in Funding | G % Increase in Funding | H Proposed Statutory Funding re: %* |
|----------------------|---------------------------------------|---|--|---|--------------------------------|-------------------------------|--|
| Motorboats | 117,021 | \$ 1,783,260 | \$ 1,943,497 | \$ 2,200,000 | \$ 256,503 | 13% | 1.485% |
| Snowmobiles | 95,334 | \$ 1,833,981 | \$ 957,818 | \$ 1,600,000 | \$ 642,182 | 67% | 1.080% |
| ATV | 45,796 | \$ 423,155 | \$ 64,331 | \$ 250,000 | \$ 185,669 | 287% | 0.169% |
| | | | | | | | |
| | | \$ 4,040,396 | \$ 2,965,646 | \$ 4,050,000 | \$ 1,084,354 | 37% | 2.734% |

* Calculated by dividing proposed caps in column E by the total gas tax collections for FY '01, being \$ 148,187,279.

TABLE 3

**Actual Gas Tax Allocations for Off-Road Recreational Vehicle (FY 96-FY 01)
Compared to Estimates of Annual Maine Gas Taxes Paid by those User
Groups**



| | Actual Allocations | | | | | | Average Actual Compared to Survey Estimates | | |
|-------------|--------------------|-------------|-------------|-------------|-------------|-------------|---|-----------------------------------|-------------------------------------|
| | FY 96 | FY 97 | FY 98 | FY 99 | FY 00 | FY 01 | Mean Actual | Survey Estimate of Gas Taxes Paid | Survey Estimate, minus Actual FY 01 |
| Motorboats | \$1,988,968 | \$1,907,559 | \$2,029,570 | \$1,775,004 | \$1,954,496 | \$1,943,497 | \$1,933,182 | \$1,783,260 | (\$160,237) |
| Snowmobiles | \$785,279 | \$816,688 | \$839,974 | \$793,676 | \$966,379 | \$957,818 | \$859,969 | \$1,833,981 | \$876,163 |
| ATV's | \$44,464 | \$54,882 | \$56,416 | \$53,307 | \$64,948 | \$64,631 | \$56,441 | \$423,025 | \$358,394 |
| Total | \$2,818,711 | \$2,779,129 | \$2,925,960 | \$2,621,987 | \$2,985,823 | \$2,965,946 | \$2,849,593 | \$4,040,266 | \$1,074,320 |

Source: Actual data from the Office of Fiscal and Program Review. Survey estimates from the Margeret Chase Smith Center for Public Policy at the University of Maine
Data compiled by the Office of Policy and Legal Analysis

Table 4.

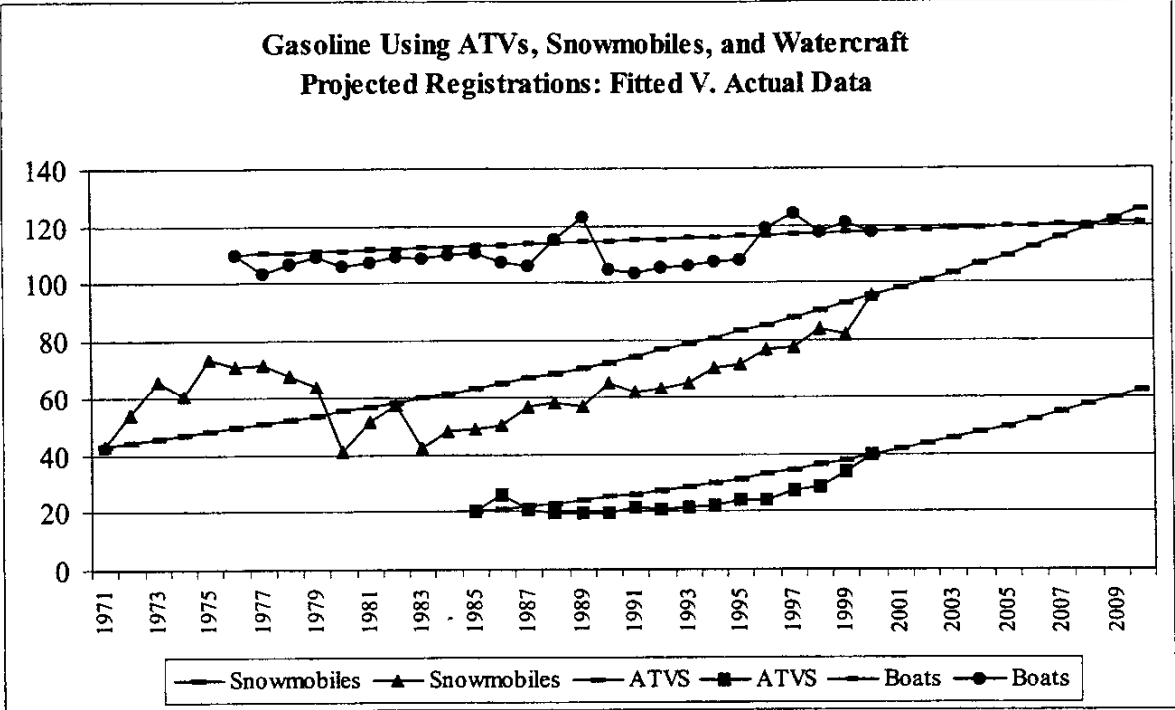
Historical and average annual distributions of gasoline tax revenues to off-road recreational programs

| Fund Department/Program | | Actuals FY 96 | Actuals FY 97 | Actuals FY 98 | Actuals FY 99 | Actuals FY00 | Actuals FY01 | Average Annual |
|---|--|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Total Gas Tax Collections: | | | | | | | | |
| Total Gas Tax Collections | | \$120,592,654 | \$121,350,421 | \$124,471,080 | \$136,268,424 | \$146,190,243 | \$148,187,279 | |
| Highway Fund (All collections not otherwise designated - see below) | | | | | | | | |
| HF | Highway Fund | \$117,680,092 | \$118,471,766 | \$121,456,100 | \$133,571,324 | \$143,128,178 | \$145,147,979 | |
| Motorboats (36 MRSA, §2903-A) - 2% of total excise tax, not to exceed \$2,000,000 (split after refunds to commercial motorboats - 20% to Marine Resources and 80% to Boating Facilities Fund): | | | | | | | | |
| | Commercial Motorboat Refunds | \$93,850 | \$99,526 | \$89,022 | \$75,115 | \$76,243 | \$73,654 | \$84,568 |
| OSR | Marine Resources | \$397,794 | \$370,576 | \$405,914 | \$355,001 | \$390,899 | \$388,699 | \$329,840 |
| OSR | Conservation - Boating Facilities Fund | \$1,591,174 | \$1,536,983 | \$1,623,656 | \$1,420,003 | \$1,563,597 | \$1,554,798 | \$1,327,173 |
| | Subtotal - §2903-A | \$2,082,818 | \$2,007,085 | \$2,118,591 | \$1,850,119 | \$2,030,738 | \$2,017,151 | \$1,729,500 |
| Snowmobiles (36 MRSA, §2903-B) - 0.67% of total excise tax (0.05% to IF&W and .62% to Snowmobile Trail Fund): | | | | | | | | |
| GF | Inland Fisheries and Wildlife | \$61,730 | \$60,534 | \$62,685 | \$59,230 | \$71,537 | \$71,479 | \$55,314 |
| OSR | Conservation - Snowmobile Trail Fund | \$723,549 | \$756,154 | \$777,289 | \$734,446 | \$894,842 | \$886,339 | \$681,803 |
| | Subtotal - §2903-B | \$785,280 | \$816,688 | \$839,973 | \$793,675 | \$966,379 | \$957,818 | \$859,969 |
| ATV's (36 MRSA, §2903-C) - 0.045% of total excise tax to ATV Recreational Mgmt. Fund: | | | | | | | | |
| OSR | Conservation - ATV Rec. Mgmt. Fund | \$44,464 | \$54,882 | \$56,416 | \$53,307 | \$64,948 | \$64,331 | \$48,335 |
| | Subtotal - §2903-C | \$44,464 | \$54,882 | \$56,416 | \$53,307 | \$64,948 | \$64,331 | \$48,335 |

Source: Maine State Legislature. Office of Policy and Legal Analysis. Averages calculated by OPLA.

TABLE 5

Forecast (Simple) of Gasoline Using ATVs, Snowmobiles, and Watercraft:
Registrations and Gasoline Tax Revenues¹



Forecasted Gasoline Tax Revenues
from ATVs, Snowmobiles, and Watercraft

| Year | Snowmobiles (million) | ATVS (million) | Watercraft (million) | Total (million) |
|------|--------------------------|-------------------|-------------------------|--------------------|
| 2002 | 1.94 | 0.42 | 1.81 | 4.16 |
| 2003 | 2.00 | 0.44 | 1.81 | 4.24 |
| 2004 | 2.05 | 0.46 | 1.82 | 4.32 |
| 2005 | 2.11 | 0.48 | 1.82 | 4.41 |
| 2006 | 2.17 | 0.50 | 1.83 | 4.49 |
| 2007 | 2.23 | 0.52 | 1.83 | 4.58 |
| 2008 | 2.29 | 0.55 | 1.84 | 4.68 |
| 2009 | 2.36 | 0.57 | 1.84 | 4.77 |
| 2010 | 2.42 | 0.60 | 1.85 | 4.87 |

Assumptions: Annual growth rates for Snowmobiles, ATVS, and Boats: 2.798%, 4.6697%, 0.276%, excise tax @ \$0.22, registrations (in 1000s) for snowmobiles, ATVS, and watercraft in 2000: 95.57, 39.64, 117.88 (watercraft registrations adjusted for non-gasoline powered vehicles); average annual fuel use for snowmobiles, ATVs and watercraft: 87.4, 43.6, 69.27.

¹This forecast is naive in that no effort is made to take future demographic, economic or other important trends into account. It is based only on historic growth rates in registrations and average fuel use by vehicle type.

APPENDIX A

Resolve, to Extend the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft was created by Resolves of 1999, chapter 131, with a final reporting date of December 6, 2000; and

Whereas, that Commission was authorized to undertake research as necessary to collect and update information on the amount and type of fuel purchased for and consumed within this State by snowmobiles, all-terrain vehicles and motorboats and of fuel purchased in this State for those vehicles and consumed outside the jurisdiction of this State; and

Whereas, that Commission has authorized surveys to determine the amount of gasoline consumed by snowmobiles, all-terrain vehicles and watercraft; and

Whereas, the information obtained through those surveys is essential for the Commission to fulfill its charge of determining the equitable distribution of gas tax revenues generated by snowmobiles, all-terrain vehicles and motorboats; and

Whereas, it is critical to the validity of the survey results that adequate time be allowed to develop the survey methodology and the survey questionnaire, to select the random sample of survey participants, to administer the survey and to analyze the survey results; and

Whereas, the successful completion of that work requires that the Commission be extended until December 6, 2001, for the purpose of providing policy oversight of those survey efforts and to submit its findings and recommendations to the Second Regular Session of the 120th Legislature; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore, be it

Sec. 1. Commission established. Resolved: That the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft, referred to in this resolve as the "commission," is established; and be it further

Sec. 2. Commission membership; appointed and ex officio members.

Resolved: The Commission consists of 15 appointed members and up to 3 Ad-hoc members as provided below:

1. Legislative members reappointed. That the Legislative members appointed pursuant to Resolves of 1999, chapter 131, who are now members of the 120th Legislature are reappointed as members of this Commission;

2. Filling of Legislative vacancies. The President of the Senate shall appoint three members of the Senate to replace the members of the Senate appointed pursuant to Resolves of 1999, chapter 131, who are not members of the 120th Legislature. When making those appointments, the President of the Senate shall give preference to members from the Joint Standing Committee on Inland Fisheries and Wildlife, the Joint Standing Committee on Transportation and the Joint Standing Committee on Taxation;

3. Ex-officio members. The following ex officio voting members:

- A. The Commissioner of Conservation or the commissioner's designee;
- B. The Commissioner of Marine Resources or the commissioner's designee;
- C. The Commissioner of Inland Fisheries and Wildlife or the commissioner's designee;
- D. The Commissioner of Transportation or the commissioner's designee; and
- E. The Director of the Bureau of Revenue Services within the Department of Administrative and Financial Services or the director's designee; and be it further

4. Ad-hoc members. Persons who were appointed by the President of the Senate or the Speaker of the House pursuant to Resolves of 1999, chapter 131, who are not elected members of the 120th Legislature are entitled to serve as (voting? Non-voting?) ad hoc members of the Commission.

Sec. 3. Appointments; meetings. Resolved: That all appointments must be made no later than 30 days after the effective date of this Resolve. The appointing authorities shall notify the Executive Director of the Legislative Council once the appointments have been made. The Executive Director of the Legislative Council shall notify the chairs when all appointments have been made. The chairs of the commission shall call and convene the first meeting of the commission anytime after the effective date of this Resolve; and be it further

Sec. 4. Duties. Resolved: That the commission shall fulfill all the duties required by Resolves of 1999, chapter 131 and shall:

1. Oversee the surveys of gasoline consumption by ATV, snowmobile and watercraft undertaken by the Margaret Chase Smith Center for Public Policy at the University of Maine pursuant to a Cooperative Agreement between the University and the Departments of Conservation, Inland Fisheries and Wildlife, Marine Resources and Transportation as provided in a contract among those agencies signed in November, 2000. That oversight shall include regular meeting during 2001 with the University and interested parties to assist in the development of the surveys and to review and discuss the results of each survey;

2. Seek input from the public; from organizations representing snowmobile, all-terrain vehicle and watercraft users, including the Maine Snowmobile Association, groups representing all-terrain vehicle users, the University of Maine Agricultural Research Station and the Maine Marine Trade Association; and from any other interested individuals or organizations. In seeking that input, the commission shall, within its budgeted resources, hold its meetings in geographically diverse locations throughout the State;

3. Review and report on any updates or supplemental information prepared by the Department of Inland Fisheries and Wildlife, the Department of Conservation or the Department of Marine Resources pertaining to the strategic boating plan prepared by those agencies pursuant to Resolves of 1999, chapter 131; and

4. Collect other data and make other recommendations the commission considers appropriate on the issue of off-road fuel consumption; and be it further

Sec. 5. Report. Resolved: That the commission shall submit its report, together with any recommended implementing legislation, to the Second Regular Session of the 120th Legislature no later than December 6, 2001. If the commission requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 6. Staff assistance. Resolved: That, upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide staffing assistance to the commission. The Office of Fiscal and Program Review and the Department of Transportation, the Department of Marine Resources, the Department of Inland Fisheries and Wildlife, the Department of Conservation and the Department of Administrative and Financial Services, Bureau of Revenue Services shall also provide assistance as requested by the commission; and be it further

Sec. 7. Compensation. Resolved: That the members of the commission who are Legislators are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses related to their attendance at authorized meetings of the commission. Other members of the commission, including ad hoc members, who are not compensated by

their employers or other entities that they represent are entitled to receive reimbursement for travel and other necessary expenses related to their attendance at authorized meetings; and be it further

Sec. 8. Budget. Resolved: That the chairs of the commission, with assistance from the commission staff, shall administer the commission's budget. The commission may not incur expenses exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission and its staff with a status report on the commission's budget, expenditures incurred and remaining available funds; and be it further

Sec. 9. Appropriations carried over. Resolved: That funds appropriated to the Commission by Resolves of 1999, chapter 131, that are unexpended are carried forward to fiscal year 2001-02 to be used for the purposes specified in that Resolve and in this Act.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

SUMMARY

This emergency Resolve reauthorizes for an additional year, until December 6, 2001, the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft. That Commission was originally authorized during the 2nd Regular Session of the 119th Legislature pursuant to Resolves of 1999, chapter 131.

This Resolve reappoints the five Ex-Officio members of the Commission appointed during the 119th Legislature and reappoints the Legislative members appointed during the 119th Legislature who are now members of the 120th Legislature. Members who were appointed as legislative members in 1999 but who are no longer members of the Legislature are entitled to serve as ad-hoc members of the Commission during 2001.

No additional funding is requested in this Resolve, although the Resolve does carry forward all unexpended balances appropriated in Resolves of 1999, chapter 131, to be used by the Commission during 2001 to complete its responsibilities.

APPENDIX B

MEMBERS – Gas Tax Equity Study

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LABELS-Gas Tax Equity Study.doc (12/17/01
11:35 AM)

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APPENDIX C

APPENDIX C-1

Legislation to Implement the Majority Recommendations

An Act to Implement the Unanimous and the Majority Recommendations of the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft

Be it enacted by the People of Maine to read:

Sec. 1. 12 MRSA, §7020 is enacted to read:

7020. Joint effort to determine gasoline use by nonhighway recreational vehicles

During calendar year 2004, and during every third calendar year thereafter, the Commissioner of Inland Fisheries and Wildlife, the Commissioner of Conservation, the Commissioner of Marine Resources and the Commissioner of Transportation shall jointly undertake a survey or surveys to determine the amount of gasoline purchased or used by snowmobiles, all-terrain vehicles and motorboats in Maine. The surveys must be conducted using a randomly selected sample from a known population and must use scientific and statistical methods capable of producing an estimate of the mean total quantity of gasoline used and mean total dollars of gasoline taxes paid by each user group. To the extent possible, those estimates must include gasoline purchased or used in Maine by snowmobiles, all-terrain vehicles and motorboats not required to be registered in Maine.

Not later than December 15, 2004, and not later than every third December 15th thereafter, those Commissioners shall jointly report in writing on the results of those surveys to the State Controller and the joint standing committees of the legislature having jurisdiction over transportation, inland fisheries and wildlife, conservation and marine resource matters. Each report must include, but is not limited to, the survey estimate of the mean total gallons of gasoline purchased or used in Maine by each of those user groups and a specific recommendation for the percentage of total gasoline tax revenues to be distributed to the Departments of Conservation, Inland Fisheries and Wildlife and Marine Resources for snowmobile, all-terrain vehicle and motorboat programs.

Sec. 2. 12 MRSA, §7034, sub-§13 is enacted to read:

13. Electronic storage of registration data. The Commissioner shall store and maintain all information required or included on registration forms for snowmobiles, watercraft and all-terrain vehicles, including the telephone number of the registrant, in an electronic database format that allows that information to be retrievable and used, among other lawful purposes determined appropriate by

the Commissioner, to facilitate survey procedures designed to estimate gasoline consumption by those vehicles.

Sec. 3. 12 MRSA, §7794-D is enacted to read:

§7794-D. Information on owners of unregistered motorboats operating on inland waters

Beginning on January 1, 2003, the Commissioner shall ensure that the name, address and telephone number of the owner of any motorboat that is not required to be registered in the state but that operates on the inland waters of the state is collected at the time that person, or that person's agent, purchases a lake and river protection sticker. The Commissioner shall store and maintain the information collected under this section in accordance with section 7034, subsection 13.

Sec. 4. 36 MRSA, §§ 2903-A, 2903-B and 2903-C are repealed.

Sec. 5. 36 MRSA, §§ 2903-D and 2903-E are enacted to read:

§2903-D. Distribution of gasoline taxes for nonhighway recreational vehicle programs

The Maine Constitution, Article IX, section 19, requires that taxes on fuels used for the propulsion of vehicles on public highways must be used for certain costs associated with highways. Taxes collected on fuels used for other purposes are not required to be so used. It is the purpose of this section to establish the percentage of gasoline taxes that are attributable to three segments of the nonhighway snowmobiles, all-terrain vehicles and motorboats and to equitably distribute those taxes among the appropriate state agencies for the administration of programs and the enforcement of laws relating to the use of those recreational vehicles. For the purposes of this section, the term "total gasoline tax revenues" means the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion fuel sold for use in the propulsion of aircraft.

1. Motorboats. The Legislature finds that the percentage of gasoline taxes attributable to motorboats is not less than 1.443% of total gasoline tax revenues collected in fiscal year 2001, after subtracting all refunds for commercial motorboats. Based on that legislative finding, that percentage of total gasoline tax revenues is distributed among the following agencies in the following manner:

A. 27.27% of that amount is distributed to the Commissioner of Marine Resources for research, development and propagation activities of the department. In expending these funds, it is the responsibility of the

Commissioner of Marine Resources to select activities and projects that will be most beneficial to the commercial fisheries of the State as well as the development of sports fisheries activities in the State; and

B. 72.73% of that amount is credited to the Boating Facilities Fund, established under Title 12, section 1896, within the Maine State Bureau of Parks and Lands.

2. Snowmobiles. The Legislature finds that the percentage of gasoline taxes attributable to snowmobiles is not less than 0.749% of total gasoline tax revenues collected in fiscal year 2001. Based on that legislative finding, that percentage of total gasoline tax revenues is distributed among the following agencies in the following manner:

A. 14.93% of that amount is distributed to the Commissioner of Inland Fisheries and Wildlife and used by the Commissioner for the purposes set forth in Title 12, section 7824; and

B. 85.07% of that amount is credited to the Snowmobile Trail Fund of the Bureau of Parks and Lands, established under Title 12, section 7824.

5. All-terrain vehicles. The Legislature finds that the percentage of gasoline taxes attributable to all-terrain vehicles is not less than 0.173% of total gasoline tax revenues collected in fiscal year 2001. Based on that legislative finding, that percentage of total gasoline tax revenues is distributed among the following agencies in the following manner:

A. 50.00% of that amount is distributed to the Commissioner of Inland Fisheries and Wildlife and used by the Commissioner for expenses associated with the enforcement of state laws regulating the recreational use of all-terrain vehicles; and

B. 50.00% of that amount is credited to ATV Recreational Management Fund established in Title 12, section 7854, subsection 4, paragraph B.

The State Tax Assessor shall certify to the State Controller by the 15th day of each month the amounts to be distributed and credited under this section as of the close of the State Controller's records for the previous month.

§2903-E. Certification of gas tax distributions for nonhighway recreational vehicle use by State Controller

Beginning in January of 2005, and every third January thereafter, the State Controller shall review the survey results reported pursuant to Title 12, section 7020 and shall, based on those survey results, certify to the State Tax Assessor the specific percentages of total gasoline tax revenues attributable to

snowmobiles, motorboats and all-terrain vehicles. Notwithstanding section 2903-D, the percentages certified by the State Controller under this section are the percentages of total gasoline tax revenues that are to be distributed to the Departments of Conservation, Inland Fisheries and Wildlife and Marine Resources for snowmobile, motorboat and all-terrain vehicle programs. The percentages certified by the State Controller take effect on July 1st of the year in which the State Controller certifies those percentages and remain in effect until July 1st of the year in which the State Controller subsequently certifies new percentages based on updated survey results. The State Tax Assessor shall certify to the State Controller by the 15th day of each month the amounts to be credited under this section as of the close of the State Controller's records for the previous month.

Sec. 6. Updates to the Public Access to Maine Waters Strategic Plan.

Beginning in 2005 and every 5 years thereafter, the Department of Conservation, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources shall jointly prepare comprehensive written updates to the report titled "Public Access to Maine Waters Strategic Plan" that was originally prepared by those departments in 1995 and updated in 2000. Those reports must include an update to the boating access improvements completed since the prior report, a summary of the current funding and expenditure patterns for each of those departments on boating access matter, a summary of public access needs and funding, a summary of boating enforcement and education programs and needs and any actions proposed by those departments in those areas anticipated over the subsequent 5 year period. Those reports must be submitted jointly to the joint standing committees of the legislature having jurisdiction over inland fisheries and wildlife matters and marine resource matters beginning in January of 2005, and every 5 years thereafter.

Sec. 7. Snowmobile and All-terrain vehicles needs assessments.

Beginning in 2005 and every 5 years thereafter, the Department of Conservation and the Department of Inland Fisheries and Wildlife shall jointly prepare an assessment of needs within the snowmobile and all-terrain vehicle programs, including a summary of the current funding and expenditure patterns for each of those departments on snowmobile and all-terrain vehicle matters, a summary of public access needs and funding, a summary of snowmobile and all-terrain vehicle enforcement and education programs and needs, an assessment of the capital needs for equipment or facilities for maintenance of trails or access to land or water and any actions proposed by those departments in those areas anticipated over the subsequent 5 year period. Those reports must be submitted jointly to the joint standing committees of the legislature having jurisdiction over inland fisheries and wildlife matters and public recreation matters beginning in January of 2005, and every 5 years thereafter.

SUMMARY

This bill implements the unanimous and the majority recommendations of the Commission to Study Equity in the Distribution of Gasoline Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft and is report pursuant to Resolves of 2001, chapter 68.

Surveys conducted for the Commission show that gasoline use by recreational snowmobilers, all-terrain vehicle users and boaters is generating approximately \$1.1 million per year more in gasoline tax revenues than is being allocated to the state agencies that support those outdoor recreational opportunities and that help protect the public safety and the state's natural resources by enforcing the laws regulating the use of those vehicles. This bill creates greater equity in the distribution of gasoline tax revenues by immediately increasing annual gasoline tax allocations to those agencies by 50% of that amount in fiscal years 2003, 2004 and 2005, while ensuring full equity over the longer term by establishing a process that will result in the allocation of 100% of the gasoline taxes paid by those users back to the programs that support those activities beginning in fiscal year 2006.

The process established to ensure equity in the distribution of gasoline tax revenues attributable to snowmobiles, all-terrain vehicles and watercraft requires that the Departments of Transportation, Conservation, Inland Fisheries and Wildlife and Marine Resources jointly conduct surveys every 3 years to determine the amount of gasoline consumed by each of those user groups. After reviewing those results, the State Controller certifies to the State Tax Assessor the specific percentage of total gasoline tax revenues that is to be allocated to the agencies administering those programs.

The bill also requires the Commissioner of Inland Fisheries and Wildlife to maintain snowmobiles, watercraft and all-terrain vehicles registration data, including the telephone number of the registrant, in an electronic database format that can be used for future surveys designed to estimate gasoline consumption by those vehicles and requires the Commissioner, beginning in January of 2003, to obtain the name, address and phone number of nonresident boaters who operate motorboats on inland waters and purchase a lake and river protection sticker.

The bill also requires the Departments of Conservation, Inland Fisheries and Wildlife and Marine Resources to update, every 5 years, their "Public Access to Maine Waters Strategic Plan" and their snowmobile and ATV needs assessment. Those reports would be submitted jointly to the joint standing committees of the legislature having jurisdiction over inland fisheries and wildlife matters and public recreation matters beginning in January of 2005, and every 5 years thereafter.

APPENDIX C-2

LEGISLATION IMPLEMENTING THE MINORITY RECOMMENDATIONS

CONTINGENT UPON PASSAGE OF LEGISLATION THAT RAISES NEW, SUBSTANTIAL, ON-GOING AND DEDICATED REVENUE TO THE HIGHWAY FUND

Sec. 1. Titles 36, §§2903-A, 2903-B and 2903-C are repealed.

Sec. 2. Titles 36, §§2903-D, 2903-E, and 2903-F are enacted to read.

§2903-D. Finding of fact regarding motorboats

The Legislature makes a finding of fact that the percentage of the total gasoline tax revenue equitably attributable to motorboat use is approximately 1.485%. Based on this legislative finding of fact, there is set aside \$ 2,200,000 per year of the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion engine fuel sold for use in the propulsion of aircraft. From this allocation is deducted the refunds paid out under section 2908 to purchasers and users of internal combustion engine fuel for commercial motorboats; 20% of the balance after paying out such refunds must be paid to the Treasurer of State to be made available to the Commissioner of Marine Resources for the purpose of conducting research, development and propagation activities by the department, and it is the responsibility of the Commissioner of Marine Resources to select activities and projects that will be most beneficial to the commercial fisheries of the State as well as the development of sports fisheries activities in the State; the remaining 80% of the balance must be credited to the Boating Facilities Fund, established under Title 12, section 1896, within the Maine State Bureau of Parks and Lands. The State Controller each month shall credit to the appropriate agency one twelfth of the amounts allocated in this paragraph above. When refunds paid to purchasers and users of internal combustion engine fuel for commercial motorboats in any month exceed \$183,333, such excess must be carried forward in computing amounts to be credited to the Department of Marine Resources and to the Boating Facilities Fund under this section for the succeeding month or months. Funds credited to the Department of Marine Resources must be allocated by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.

Once the number of motor boats registered in Maine exceeds 140,000, or by February 1, 2007, whichever occurs first, the Department of Conservation shall issue to the joint standing committees of the Legislature having jurisdiction over inland fisheries and wildlife, marine resources, transportation, and taxation matters a report prepared in coordination with the Department of Marine Resources, the Department of Inland Fisheries and Wildlife and the Department of Transportation on the amount of gasoline equitably attributable to motorboat

use and whether those uses are for pleasure or commerce and for salt or freshwater boating. Funds allocated pursuant to this section must be used to fund the costs of this report.

§2903-E. Finding of fact regarding snowmobiles

The Legislature makes a finding of fact that the percentage of the total gasoline tax revenue equitably attributable to snowmobile use is approximately 1.080%. Based on this legislative finding of fact, there is set aside \$ 1,600,000 per year of the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion engine fuel sold for use in the propulsion of aircraft. From this allocation, 10% shall be paid to the Treasurer of State to be made available to the Department of Inland Fisheries and Wildlife; this money to be expended for the purpose set forth in Title 12, section 7824. The remaining 90% shall be credited to the Snowmobile Trail Fund of the Bureau of Parks and Lands, established under Title 12, section 7824. The State Controller each month shall credit to the appropriate agency one twelfth of the amounts allocated in this paragraph above.

Once the number of snowmobiles registered in Maine exceeds 115,000, or by February 1, 2007, whichever occurs first, the Department of Conservation shall issue to the joint standing committees of the Legislature having jurisdiction over inland fisheries and wildlife, transportation, and taxation matters a report prepared in coordination with the Department of Inland Fisheries and Wildlife and the Department of Transportation on the amount of gasoline equitably attributable to snowmobile use. Funds allocated pursuant to this section must be used to fund the costs of this report.

§2903-F. Finding of fact regarding all-terrain vehicles

The Legislature makes a finding of fact that the percentage of the total gasoline tax revenue equitably attributable to all-terrain vehicle use is approximately 0.169%. Based on this legislative finding of fact, there is set aside \$250,000 per year of the total excise tax on internal combustion engine fuel sold or used within the State, but not including internal combustion engine fuel sold for use in the propulsion of aircraft. This allocation must be principally expended for law enforcement purposes. In any event, the allocation must be expended as required by Title 12, section 7854, subsection 4, paragraph B. The State Controller each month shall credit to the Department of Conservation one twelfth of the amount set forth under the previous sentence. One half of the amounts allocated by this section shall be used for law enforcement aimed at reducing damage to roads, rail beds, utility corridors, and other private property.

APPENDIX D

For a copy of this report titled, "Gasoline Consumption Attributable to ATVs in Maine", please refer to the following website: www.umaine.edu/mcsc

APPENDIX E

For a copy of this report titled, "Gasoline Consumption Attributable to Snowmobile Use in Maine", please refer to the following website: www.umaine.edu/mcsc

APPENDIX F

For a copy of this report titled, "Gasoline Consumption
Attributable to Gasoline Powered Watercraft Use in Maine",
please refer to the following website: www.umaine.edu/mcsc

APPENDIX G



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

November 6, 2001

Memo to: Members, Gas Tax Equity Study Commission
From: Patrick Norton, Principal Analyst
Re: Questionnaire to marina owners; summary of responses

At its last meeting, the Commission asked the Office of Policy and Legal Analysis to work with the Department of Inland Fisheries and Wildlife and the Department of Marine Resources to develop a list of marinas and to send those marinas a questionnaire inquiring about their gasoline sales to boats. The purpose of the questionnaire was to help the Commission better understand if recreational boats that operate in Maine but that are not registered in Maine are consuming a small, medium or large percent of the total amount of gasoline consumed in Maine by all recreational boaters.

This memo and the attached materials summarize the results of that mailing. I have attached seven bar charts summarizing the responses received as of November 5th, a copy of the letter and questionnaire sent to the marinas for which I was able to obtain a mailing address and a spreadsheet including the names and addresses of the 239 marinas that were mailed a questionnaire.

It is important to note that the group of marinas that received this questionnaire do not constitute a randomly selected sample and that the individuals who responded were "self-selected"---meaning that they made an independent choice as to whether or not to respond to the questionnaire. In addition, no attempt was made to evaluate the reliability of the responses. For those reasons, responses to this questionnaire cannot be used to make statistical inferences about gasoline sales by all marinas. The statistical usefulness of the data obtained through this questionnaire is limited to describing the answers provided by the respondents.

Tables 1 and 2 show the number of questionnaires sent and a summary of the responses:

Table 1
Overview of Mailing and Responses

| | |
|--|-----|
| Number of questionnaires mailed ¹ | 239 |
| Number returned as undeliverable | 4 |
| Number who responded | 115 |

Table 2
Summary of 115 Responses

| | |
|---|-----------|
| Number responding that the questionnaire did not apply or that they did not sell gasoline | 22 |
| Number responding (by 11/5) to some or all of the questions ² | <u>93</u> |
| Total responses (by 11/5) | 115 |

The attached bar charts summarize the information provided by the 93 respondents who answered some or all of the questions.³

Chart 1 shows that the distribution of marinas (by volume of gasoline sold) is roughly similar for the fresh and salt-water marinas that responded to the survey, although a noticeably larger percentage of fresh-water marinas than salt-water marinas reported sales greater than 25,000 gallons. **Chart 2** also shows similar patterns between fresh-water and salt-water respondents with respect to the percentages of gasoline they sell to boats. In both cases, the large majority of the marinas reported selling more than 75% of their gasoline to boaters. **Chart 3** reveals perhaps the most noticeable difference between the fresh-water and saltwater respondents by showing that a large majority (77%) of the fresh-water respondents reported that they sold more than 75% of their gasoline to recreational boaters while a minority (29%) of the salt water respondents reported that more than 75% of their sales were to recreational boaters. **Chart 4** illustrates the flip side of that question, to some extent, by showing that a larger percentage of salt water respondents (29%) reported selling more than 75% of their gas to commercial boats than did fresh-water respondents (8%). **Chart 5** shows that 38% of the fresh-water and 41% of the salt-water respondents reported selling less than 25% of their gasoline to out-of-state boaters. There is an interesting blip in this chart, however, which shows that 23% of the fresh-water respondents reported selling

¹ Approximately 80% of the marina names were provided by the DMR, the remainder by the DIFW.

² Approximately 75% of the respondents reported that they were located on salt water.

³ The totals do not always add up to 100% since not all the respondents answered all the questions.

between 50-75% of their gas to out-of-state boaters. A more systematic and detailed survey would be needed to determine, for example, how real that blip is and whether or not the location of those marinas plays a role in those sales. **Chart 6** shows that most of the fresh-water and salt-water respondents report selling from 0-25% of their gasoline to documented vessels. The responses to this question are probably the least informative, however, since only 33 of the marinas responded to this question at all and only 3 of them were fresh-water marinas. **Chart 7** shows that a large majority of fresh and salt-water respondents reported having an “average” summer with respect to gasoline sales. More fresh-water marinas reported having an “above average” summer and more salt water marinas reported having a “below average” summer. Only one marina, a salt-water marina, reported having a “poor” season.

The questionnaire also included space for the respondent to provide comments or additional information and invited the respondent to attach additional material to their questionnaire if they so desired. None of the respondents attached additional information, and only fourteen used the available space on the questionnaire to provide comments.⁴ Most of those fourteen comments were clarifications of their responses (such as “all our gasoline sales go to commercial fishermen” and “almost all our sales are recreational”, etc). One respondent provided a precise number for gallons of gasoline sold. Three respondents made policy-related comments: one person wrote, *“Many boats on the lake which are used only in Maine are registered in other states. This creates a large loss of revenue for the state and is a problem hard to correct”*; another person wrote, *“There should be no road use tax on this fuel. Fleecing boaters is not good business”*; and a third person wrote, *“Our inland lakes and rivers need attention. Please help.”*

I anticipate that some additional responses will be received between the date of this memo and the Commission’s final meeting. If the Commission wishes to include a summary of this questionnaire in its final report, I would be happy to update the summary to incorporate those responses.

Please feel free to contact me if you have questions.

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⁴ These 14 do not include the 22 respondents who returned their questionnaire with a note saying simply that they “didn’t sell gas” or that they “were not a marina”.

Chart 1
Range of Total Gas Sales by Respondents

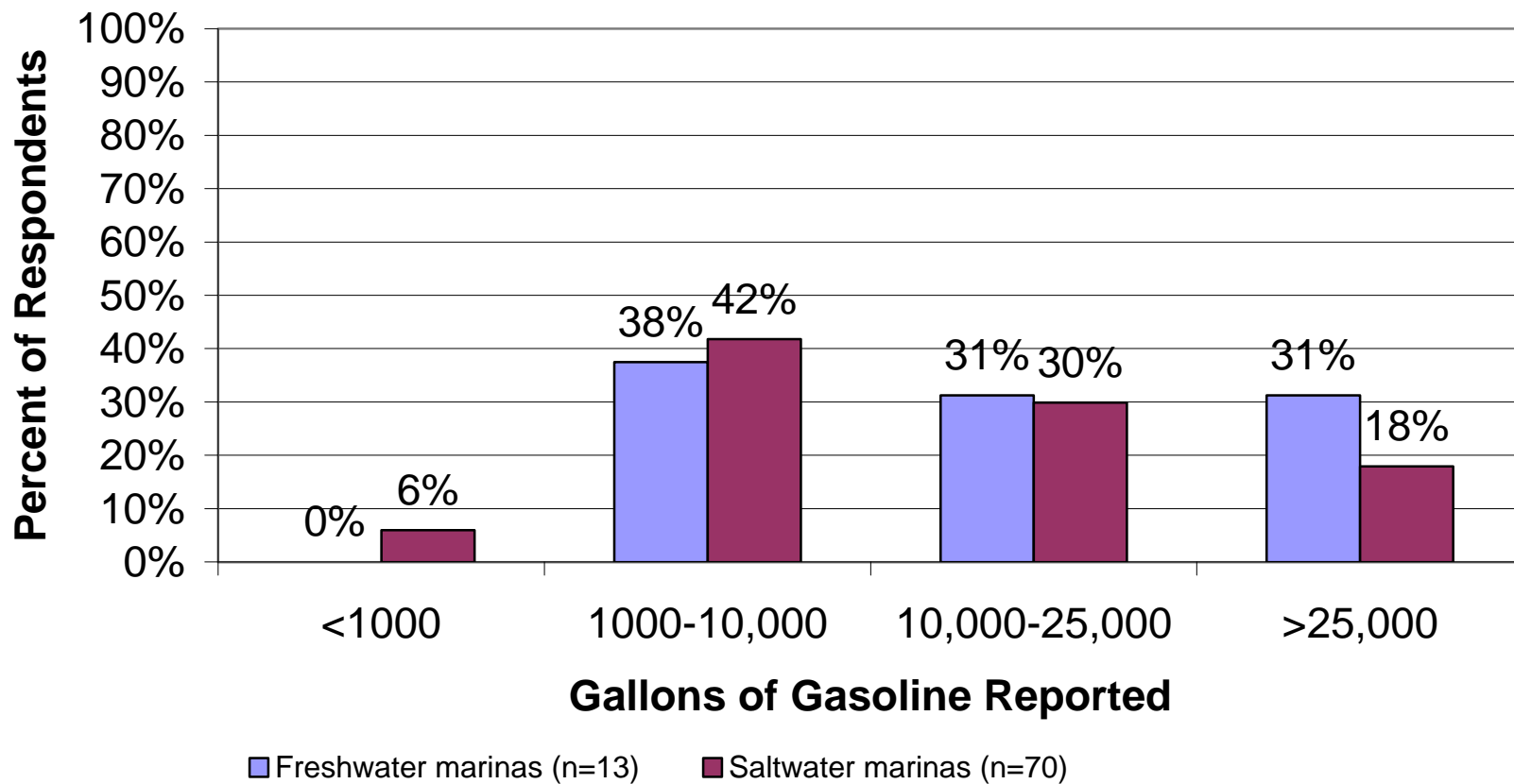


Chart 2
Percent of Gasoline Sold to Boats

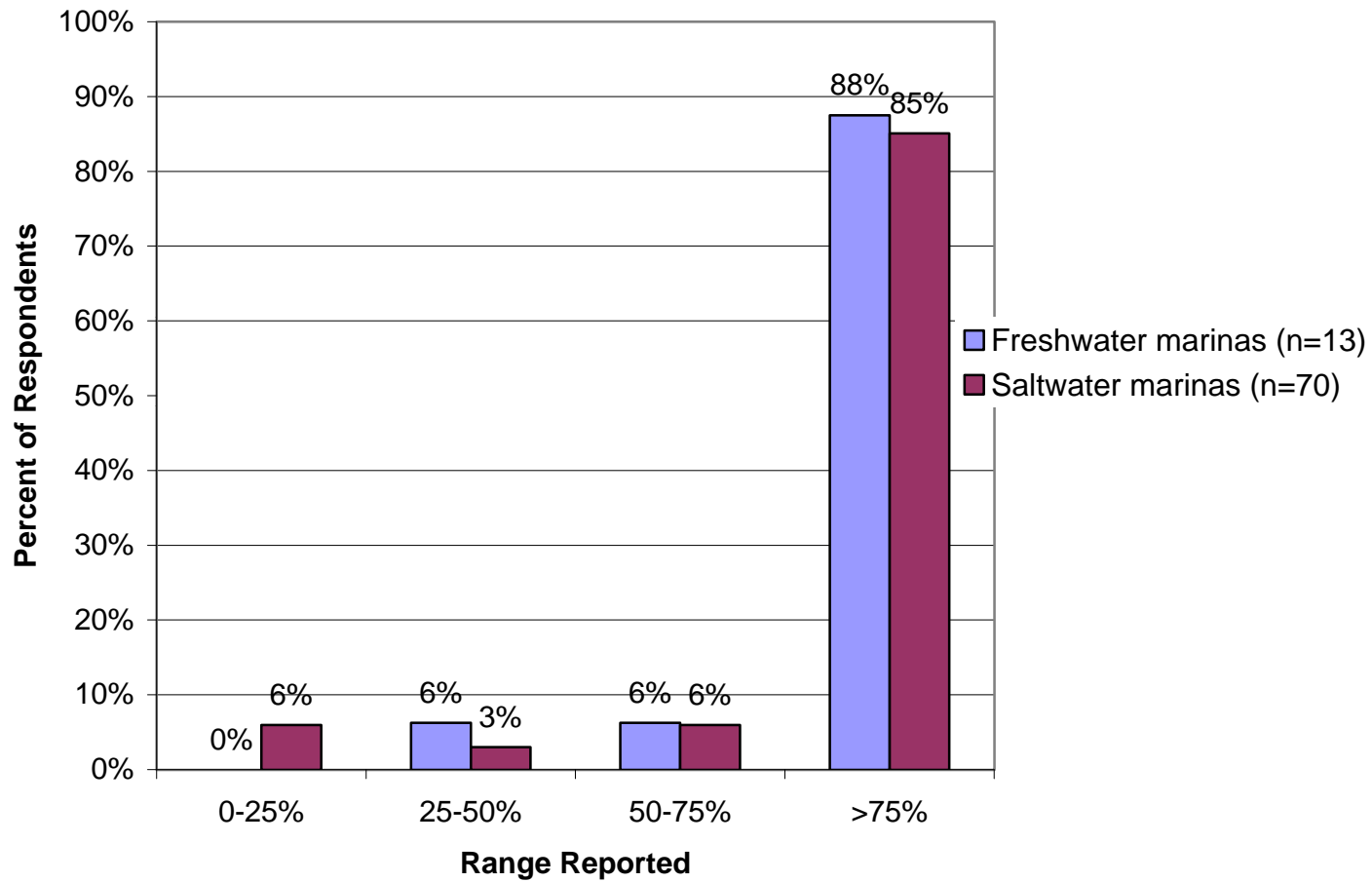


Chart 3
Percent of Gasoline Sold to Recreational Boaters

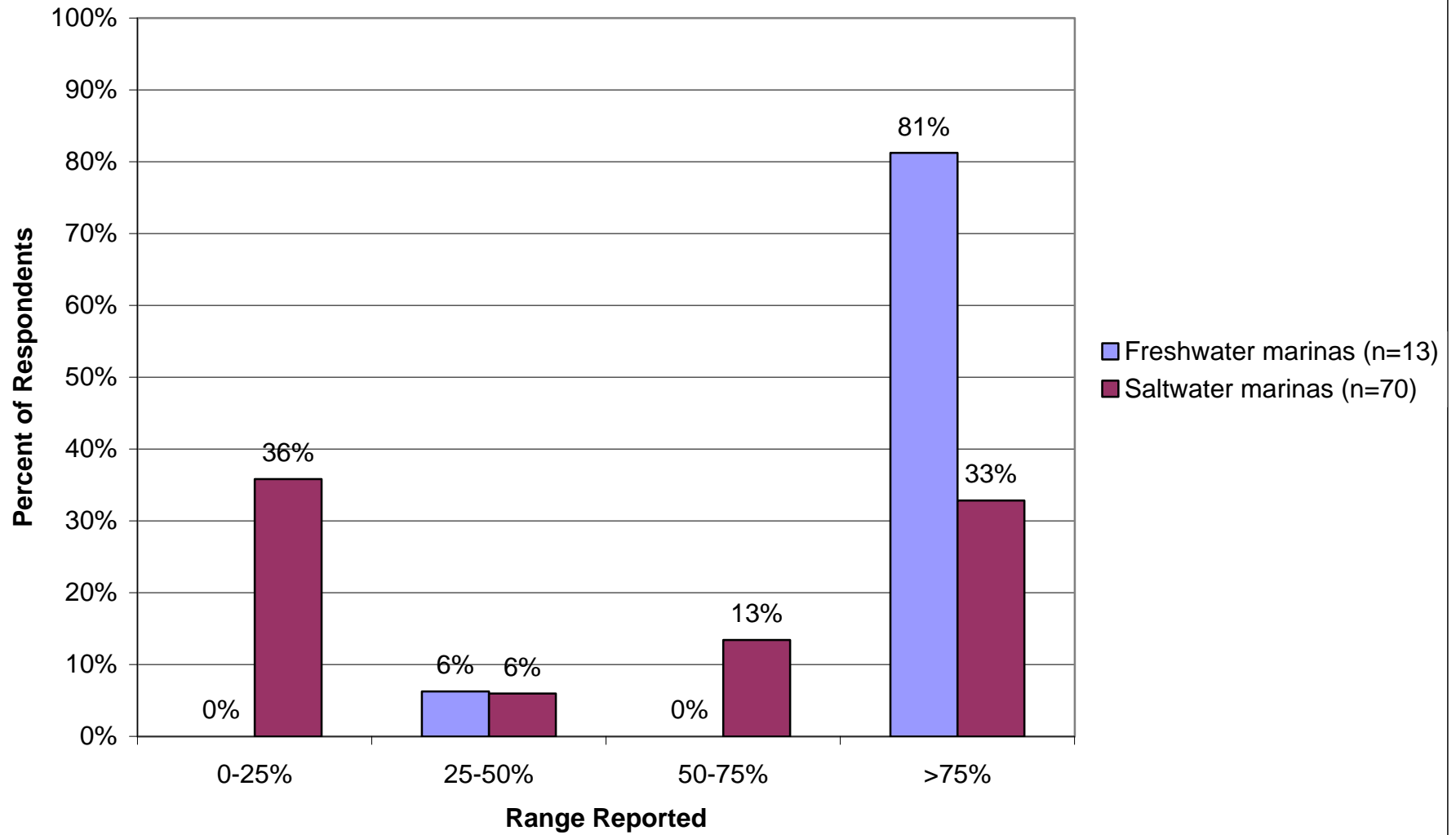


Chart 4
Percent of Gasoline Sold to Commercial Boaters

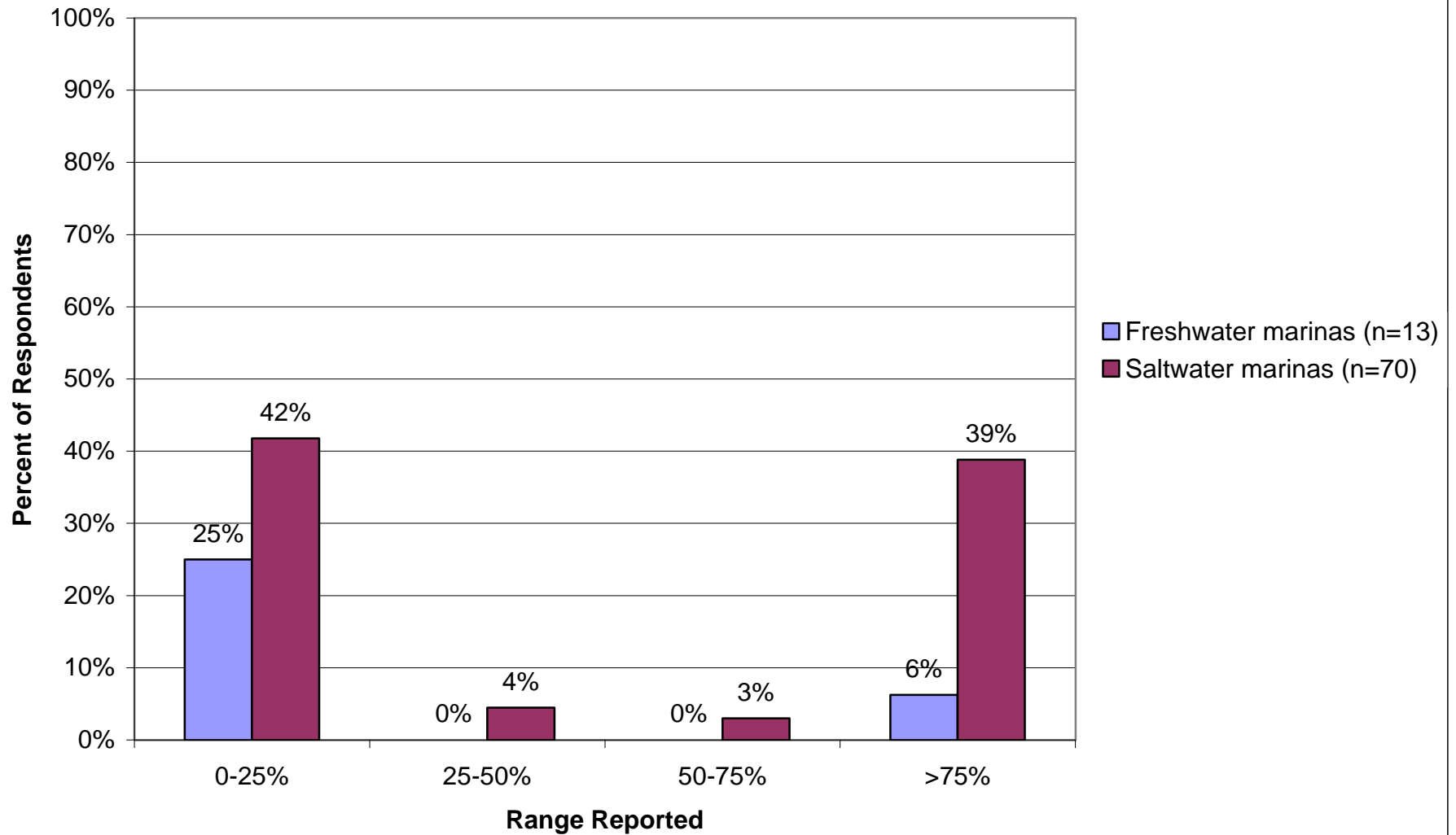


Chart 5
Percent of Gasoline Sold to Out-of State Boats

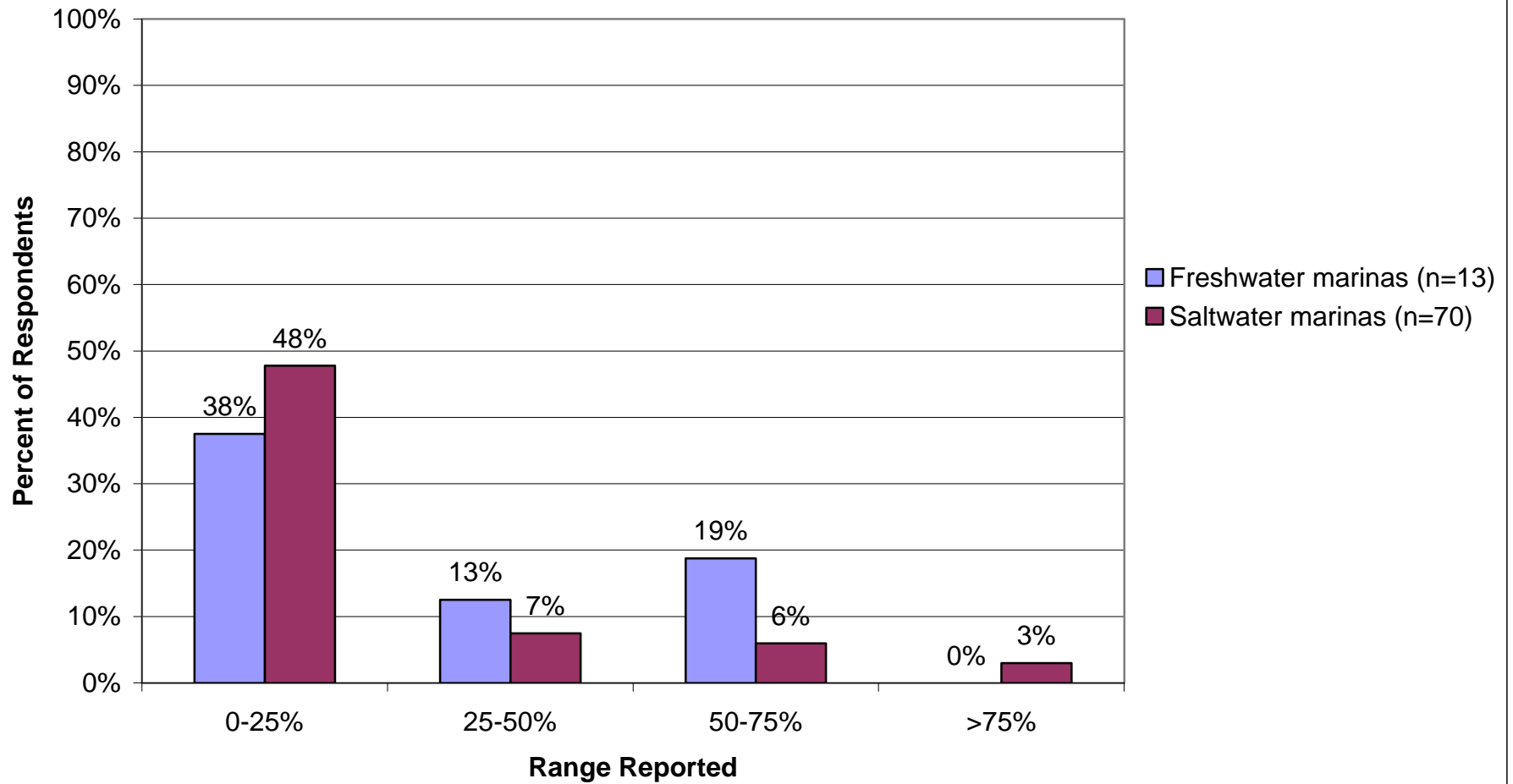


Chart 6
Percent of Sales to Documented Boats?

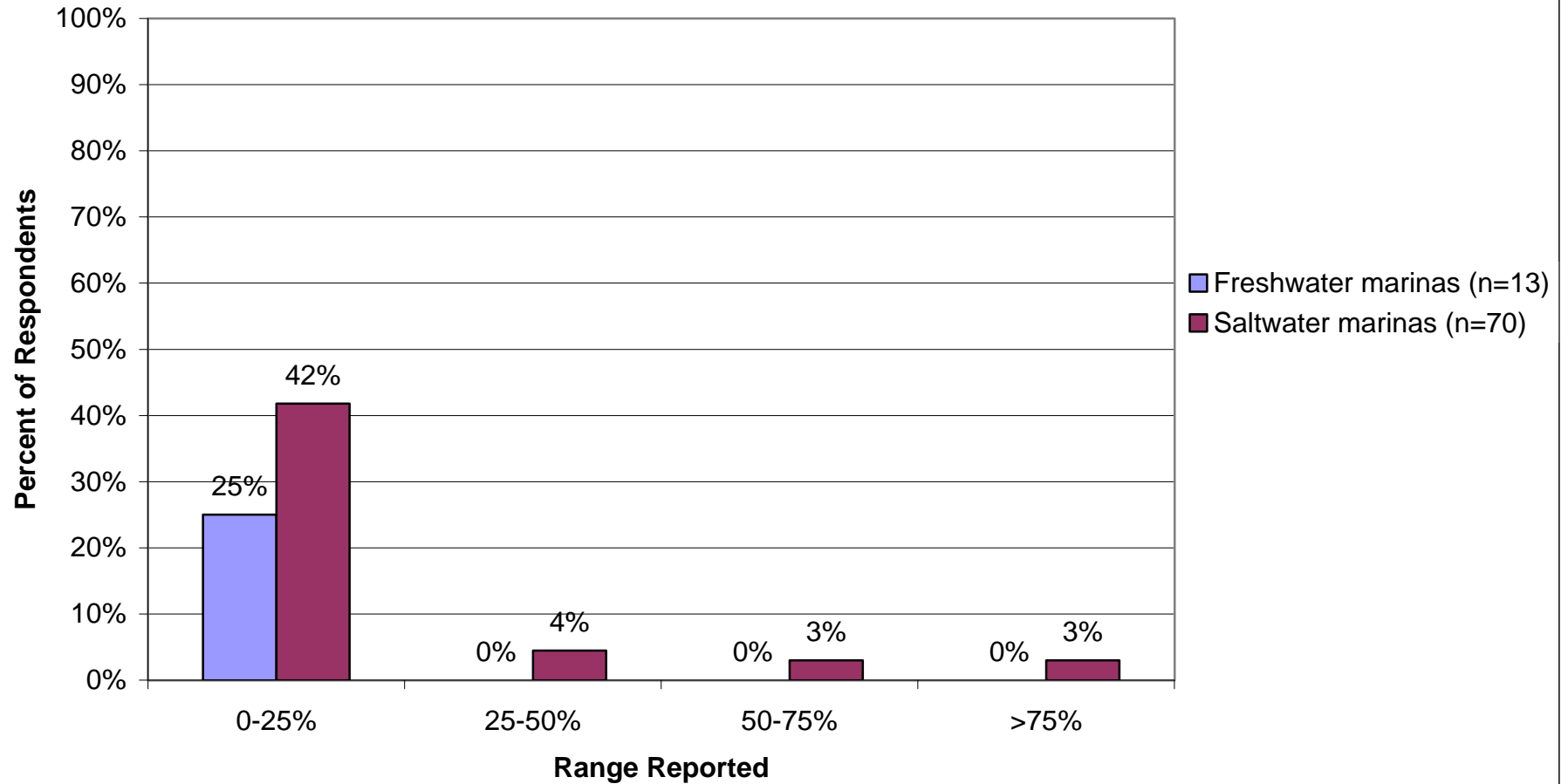
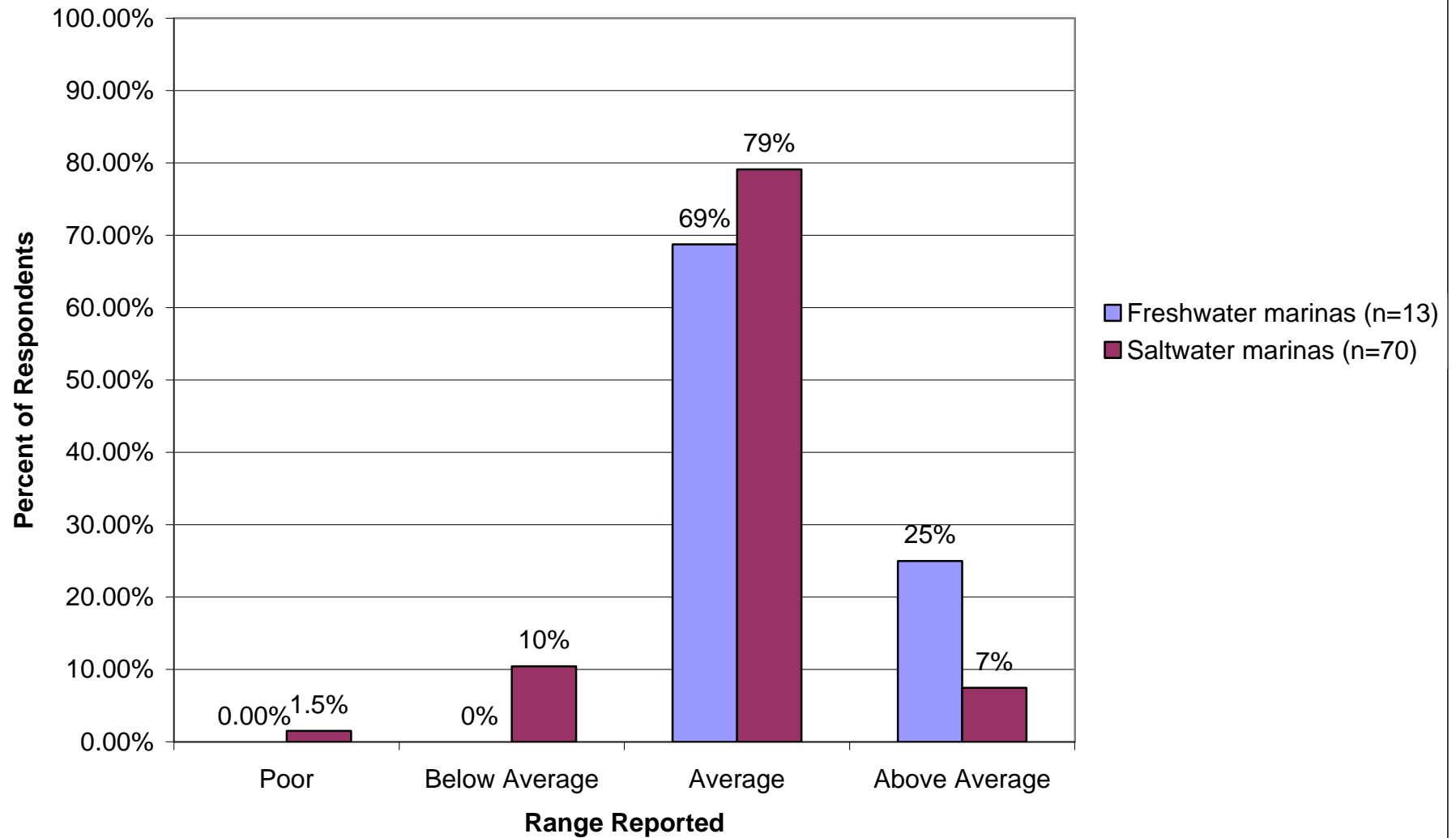


Chart 7
Overall Rating of Summer Gasoline Sales?



October 22, 2001

Dear Marina owner,

Last year, the Maine Legislature created the "Commission to Study the Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain vehicles and Watercraft." A major part of the Commission's work over the past year has included surveys to determine how much gasoline is consumed in Maine by snowmobiles, ATV's and boats. The data from those surveys will be important to the Commission as it prepares its recommendations to the Legislature regarding the allocation of gas tax revenues for those off-road recreational uses.

A telephone survey of roughly 600 randomly selected owners of boats registered in Maine is currently underway. In planning for that survey, however, we learned that there is no list of addresses for people who use their boat in Maine but who are not required by law to register their boat in Maine. Those boaters include out-of-state residents who keep their boats in Maine for fewer than 60 consecutive days per year and boats documented by the U.S. Coast Guard. Without a list of those boat owners, we were not able to include them in that survey.

As the chairs of this study Commission, we hope that you will help us gather additional information so that we can perhaps better understand if recreational boats not registered in Maine are consuming a small, medium or large percent of the total amount of gasoline consumed in Maine by recreational boaters. As a marina owner or operator, you are in a unique position to help us with those questions.

Please help us with those questions by completing the attached questionnaire and returning it to us in the enclosed self-addressed, stamped envelope. We have sent this same questionnaire to every marina in the state that we were able to identify. Although we will include a summary of this information in our report to the Legislature, we assure you that your response will remain confidential and the information we receive from marinas will be added together in a way that will not allow any single marina to be identified.

We greatly appreciate your help and hope you will return the completed questionnaire to us within the next two weeks. If you have questions, please feel free to call our staff, Patrick Norton, at the Maine Office of Policy and Legal Analysis at 287-1670.

Thank you. We greatly appreciate your help, and we look forward to hearing from you.

Senator Marge KilKelly, Senate Chair
Gas Tax Equity Study Commission

Representative Joe Clark, House Chair
Gas Tax Equity Study Commission

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Marina Gas Sales Questionnaire

Prepared by the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain vehicles and Watercraft.

Please take a moment to answer the following questions about gasoline sales at your marina to recreational boaters this summer. Please return the completed Questionnaire to the Legislature's Office of Policy and Legal Analysis using the enclosed self addressed, stamped envelope.

If you have questions about this survey, please contact the Commission's staff at the address below:

Patrick Norton, Principal Analyst
Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
Tel: (207) 287-1670
FAX: (207) 287-1275
Email: Patrick.Norton@state.me.us

**The complete description of the Commission 's statutory duties can be
viewed on the Legislature's website at :**

http://janus.state.me.us/legis/ros/lom/LOM120th/Res51-69/Res51-69-17.htm#P308_57204

-
- | | | | | |
|---|-------------|------------|--|--|
| 1. Is your marina located on fresh or salt water? | _____ Fresh | _____ Salt | | |
|---|-------------|------------|--|--|
-
- | | | | | |
|--|----------------------------|--|--------------------------------------|---------------------------------|
| 2. Approximately how many gallons of GASOLINE (<i>not Diesel</i>) did you sell this summer? | _____ < 1000 _____ gals | _____ 1,000 _____ to 10,000 _____ gals | _____ 10,000 to _____ 25,000 gals | _____ > 25,000 _____ gallons |
|--|----------------------------|--|--------------------------------------|---------------------------------|
-
- | | | | | |
|--|-------------|-----------------|-----------------|------------|
| 3. What percent of that GASOLINE was sold to boats? | _____ 0-25% | _____ 26 to 50% | _____ 51 to 75% | _____ >75% |
|--|-------------|-----------------|-----------------|------------|
-
- | | | | | |
|--|-------------|-----------------|-----------------|------------|
| 4. Of the GASOLINE you sold to boats, approximately what percent was sold to: | | | | |
| <i>Recreational boaters</i> | _____ 0-25% | _____ 26 to 50% | _____ 51 to 75% | _____ >75% |
| <i>Commercial boaters</i> | _____ 0-25% | _____ 26 to 50% | _____ 52 to 75% | _____ >75% |
| <i>Out-of-State boats</i> | _____ 0-25% | _____ 26 to 50% | _____ 51 to 75% | _____ >75% |
| <i>Coast Guard documented boats</i> | _____ 0-25% | _____ 26 to 50% | _____ 51 to 75% | _____ >75% |
-
- | | | | | |
|--|------------|------------------------------|---------------|------------------------------|
| 5. Overall, how would you rate your gasoline sales this summer? | _____ Poor | _____ Below _____ Average | _____ Average | _____ Above _____ Average |
|--|------------|------------------------------|---------------|------------------------------|
-
- | | |
|---|---|
| 6. Is there any additional information you would like to share with our committee about this issue? If so, please feel free to provide your comments here or attach a separate sheet when you return this survey. | <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-bottom: 5px;"></div> |
|---|---|
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MARINA ADDRESSES
Developed by OPLA, DIFW and the DMR for the Gas Tax Equity Study Commission
AUGUST 2001

| | Name of Marina | Street Name | City/Town Located | Zip Code | State | Contact Name |
|----|---|-----------------------------|-------------------|----------|-------|-------------------------|
| 1 | Square Pond Marina | 559 Route 109 | Acton | 04001 | ME | Dan Petrone |
| 2 | North Atlantic Lobster Sales Inc | 420 Moonneck Road | Addison | 04606 | ME | James Bucknam |
| 3 | Bailey Island Lobster Co. | P. O. Box 787 | Bailey Island | 04003 | ME | Doug Pilon |
| 4 | Cooks Lobster Pound | P. O. Box 12 | Bailey Island | 04003 | ME | |
| 5 | City of Bangor | | Bangor | 04401 | ME | Harbormaster Office |
| 6 | Harbor Place | One Harbor Place | Bar Harbor | 04609 | ME | |
| 7 | C.H. Rich | P O Box 8 | Bass Harbor | 04653 | ME | Morris Rich |
| 8 | F.W. Thurston Co | Box 178 | Bass Harbor | 04653 | ME | Mike Radcliffe |
| 9 | Hermit Island | 42 Front Street | Bath | 04530 | ME | |
| 10 | Kennebec Tavern | 119 Commercial Street | Bath | 04530 | ME | Christen |
| 11 | Barney Cove Lobster Co | P O Box 97 | Beals Island | 04611 | ME | Stanley Beal |
| 12 | Great Wass Seafood Co | P O Box 100, Alley Bay Road | Beals Island | 04611 | ME | Galen Alley |
| 13 | Hixey Head Lobster Pound | P O Box 119 | Beals Island | 04611 | ME | Tom Phillips |
| 14 | Perio Point Lobster Co | P O Box 187 | Beals Island | 04611 | ME | Albert Carver |
| 15 | Belfast City Boat | 131 Church Street | Belfast | 04975 | ME | Kathy Messier |
| 16 | Great Pond Marina | P O Box 405 | Belgrade Lakes | 04918 | ME | Debbie Gardner |
| 17 | Biddeford Pool Yacht Club & Mooring Field | Biddeford Pool | Biddeford | 04005 | ME | Daniel Reisbach |
| 18 | Marble Head Mooring Field | 1 Arundel | Biddeford | 04045 | ME | Paul Lariverre |
| 19 | Reeds Boat Yard | 109 Cleaves Street | Biddeford | 04005 | ME | Chip Blanchard |
| 20 | Kollegewidgewock Yacht Club | P O Box 368 | Blue Hill | 04614 | ME | Sam Vaughn |
| 21 | Boothbay Region Lobstermens Co-op | 99 Atlantic Avenue | Boothbay Hbr | 04538 | ME | Buch Cressey |
| 22 | Carousel Marina Ltd | 109 Atlantic Avenue | Boothbay Hbr | 04538 | ME | Patricia Gottlieb |
| 23 | Coastal Marine | 106 Ocean Point. Road | Boothbay Hbr | 04538 | ME | Greg Hartley |
| 24 | Sea Pier | 87 Atlantic Avenue | Boothbay Hbr | 04538 | ME | Laura Hughes |
| 25 | Wotton Lobster | P O Box 866 | Boothbay Hbr | 04538 | ME | Don Wotton |
| 26 | Bremen Co-op | P O Box 159 | Bremen | 04551 | ME | Gary Worthy |
| 27 | Broad Cove Marine Service, Inc | P O Box 208 | Bremen | 04551 | ME | Blair Pyne |
| 28 | Maine Fresh Lobster | 316 Medomak Road | Bremen | 04551 | ME | Melanie Gilbert |
| 29 | Medomak Shellfish | P O Box 268 | Bremen | 04551 | ME | Craig Prior |
| 30 | Muscongus Marina | 38 Muscongus Road | Bremen | 04551 | ME | William Webber |
| 31 | Eugley's Wharf | P O Box 162 | Bristol | 04539 | ME | Rob Eugley |
| 32 | New Meadows Marina | 450 Bath Road | Brunswick | 04011 | ME | John Fitzpatrick |
| 33 | Paul's Marina | P O Box 338 | Brunswick | 04011 | ME | John Marsh |
| 34 | BBS Lobster | | Bucks Harbor | 04655 | ME | Blair West |
| 35 | Bucksport Marina | P O Box 1069 | Bucksport | 04496 | ME | |
| 36 | Nicatous Lodge | P O Box 100 | Burlington | 04417 | ME | Gary Betz |
| 37 | Wayfarer Marine | P O Box 677, Sea Street | Camden | 04843 | ME | Wendy Hart |
| 38 | Willey Wharf | P O Box E | Camden | 04843 | ME | Willard White |
| 39 | Town of Cape Elizabeth | 2 Jorday Way | Cape Elizabeth | 04107 | ME | Steve Jordan |
| 40 | Cape Porpoise Mooring Field | Pier Road | Cape Porpoise | 04046 | ME | Dave Billings |
| 41 | Thompson Lake Marina | 340 Heath Road | Casco | 04015 | ME | Edward Leonard |
| 42 | Eaton's Boat Yard | P O Box 123, Sea Street | Castine | 04421 | ME | Ken Eaton |
| 43 | Eatons Boat Yard, Inc | P O Box 440 | Castine | 04421 | ME | Ken Eaton |
| 44 | Corea Co-op | P o Box 99 | Corea | 04624 | ME | Dwight Rogers |
| 45 | Green Bay Lobster | 493 River Road | Cushing | 04563 | ME | Kevin Keizer |
| 46 | Kips Seafood | 117 River Road | Cushing | 04563 | ME | Carl Krute |
| 47 | Sam's Seafood | | Cushing | 04563 | ME | Sam Olson |
| 48 | Little River Lobster Co | | Cutler | 04626 | ME | Dean Crossman |
| 49 | Basil Heanssler | Conary Cove Rd, Box 84 | Deer Isle | 04627 | ME | |
| 50 | BC Heanssler Lobster | P O Box 69, Old Place Road | Deer Isle | 04627 | ME | Bruce Heanssler |
| 51 | Sebec Lake Marina | no answer | Dover-Foxcroft | 04426 | ME | |
| 52 | C & B Marina | P O Box 513 | E. Boothbay | 04544 | ME | No contact listed |
| 53 | Little River Lobster Co | 123 Samost Trl. | East Boothbay Hbr | 04544 | ME | Mike Unda |
| 54 | Lakeside Motel and Marina | P O Box 236 | East Winthrop | 04343 | ME | Andy & Sherry Wess |
| 55 | Eastport Marina | Commercaill Street | Eastport | 04631 | ME | Stanley MacNichol |
| 56 | The Eddy Marina | P O Box 156, Eddy Road | Edgecomb | 04556 | ME | Willis Clifford |
| 57 | Great Cove Marina & Boat Club | P O Box 272, 1 Main Street | Eliot | 03903 | ME | Debbie Jordan |
| 58 | Union River Public Landing | P O Box 586 | Ellsworth | 04605 | ME | Randy Heckman |
| 59 | Handy Boat | 215 Foreside Road | Falmouth | 04105 | ME | Merle Hallett |
| 60 | Long Beach Marina | 6 Victoria Lane | Falmouth | 04105 | ME | Jan Minervino |
| 61 | Portland Yacht Club | Old Power House Road | Falmouth | 04105 | ME | Jim Lamson |
| 62 | Town of Falmouth | 271 Falmouth Road | Falmouth | 04105 | ME | John Dalton (Hbrmaster) |
| 63 | Foggy Bottoms | 195 Maine Avenue | Farmingdale | 04344 | ME | Dan Alexander |
| 64 | Lunt Dock | Shore Road | Frenchboro | 04685 | ME | David Lunt |
| 65 | Bramhall Lobster Wharf | Bradford Point Road | Friendship | 04547 | ME | Roger Bramhall |
| 66 | Davis Wharf | P O Box 151 | Friendship | 04547 | ME | Blain Davis |
| 67 | Donald Simmons Wharf | 176 Harbor Rd, P O Box 293 | Friendship | 04547 | ME | Don Simmons |
| 68 | Friendship Lobster Co-op | Harbor Rd, P O Box 64 | Friendship | 04547 | ME | Harlan Wallace |
| 69 | Hatchet Cove Lobster | 14 Brian's Wharf | Friendship | 04547 | ME | Brian Reed |
| 70 | Heritage Lobster Co-op | | Friendship | 04547 | ME | SteveThompson |
| 71 | L & J Lobster Wharf | 97 Forest Lake Road | Friendship | 04547 | ME | Leroy Genthner |
| 72 | Lash Lobster | 261 Bradford Point Road | Friendship | 04547 | ME | Steve Lash |

MARINA ADDRESSES
Developed by OPLA, DIFW and the DMR for the Gas Tax Equity Study Commission
AUGUST 2001

| | Name of Marina | Street Name | City/Town Located | Zip Code | State | Contact Name |
|-----|---|---------------------------|---------------------|----------|-------|------------------------|
| 73 | Simmons Lobster | 68 Cushing Road | Friendship | 04547 | ME | Ron Simmons |
| 74 | Gotts marine | 79 Morse Turnpike | Georgetown | 04548 | ME | Sam |
| 75 | Robinhood Marina | 340 Robinhood Road | Georgetown | 04548 | ME | Joe McCarty |
| 76 | Robinhood Marine Center | 340 Robin Hood Road | Georgetown | 04548 | ME | Joe McCarthy |
| 77 | Sheepscot Bay Boat Co. | 62 Old Schoolhouse Road | Georgetown | 04548 | ME | Carroll Plummer |
| 78 | Sheepscott Bay Boat Co | 62 Old School House Road | Georgetown | 04548 | ME | Carroll |
| 79 | Packard's Camps | RFD #2, Box 176 | Gilford | 04443 | ME | Laura Packard |
| 80 | Diamond Cove Marina | Great Diamond Island | Great Diamond Isl. | 04109 | ME | Peter Mccullum |
| 81 | Beaver Cove Marina | P O Box 1185 | Greenville | 04441 | ME | Rodney Folsom |
| 82 | Big Lake Marina | P O Box 359 | Greenville Junction | 04442 | ME | Paul Fichtner |
| 83 | Currier's Flying Service, Aircraft Charter & Si | P O Box 351 | Greenville Junction | 04442 | ME | Roger Currier |
| 84 | Turtle Head Marina | 100 Marina Road | Hampden | 04444 | ME | Marcel Whine |
| 85 | Hancock Marine Service | Ferry Road | Hancock | 04640 | ME | Phil Johnson |
| 86 | Allen's Seafood | Lookout Point Road | Harpwell | 04079 | ME | Dain Allen |
| 87 | Cundys Harbor Wharf | 963 Cundys Hbr Road | Harpwell | 04079 | ME | Lester |
| 88 | Dolphin Marina | Basin Cove Road | Harpwell | 04079 | ME | Saxton |
| 89 | Great Island Marina | 419 Harpswell Island Road | Harpwell | 04079 | ME | Frank Kibbee |
| 90 | Hawks Lobster | 992 Cundys Hbr Road | Harpwell | 04079 | ME | Gary |
| 91 | Interstate Lobster Co-op | Ash Point Road | Harpwell | 04079 | ME | Bud Moody |
| 92 | Kens Lobster | 11 Long Road Lane | Harpwell | 04079 | ME | Jakie |
| 93 | Merrimans Lobster & Crab | Route 123 | Harpwell | 04079 | ME | Dick Merriman |
| 94 | Morse Lobster | Shore Road | Harpwell | 04079 | ME | Sheldon Moorsee |
| 95 | Quahog Lobster | 5 Lobster Lane | Harpwell | 04079 | ME | Bob Waddle |
| 96 | Watsons General Store | Cundys Harbor Road | Harpwell | 04079 | ME | Rob |
| 97 | Webber & Sons | Box 596 | Harpwell | 04079 | ME | Linda |
| 98 | Whittens | Allen Point Road | Harpwell | 04079 | ME | Clayton Whitten |
| 99 | Harrison Marina | P O Box 38 | Harrison | 04040 | ME | Kathy Randall |
| 100 | Village Tie-Up | 29 Main Street | Harrison | 04040 | ME | Bob Swett |
| 101 | Cranberry Isles Fishermens Co-op | P. O. Box 258 | Islesford | 04646 | ME | Mac Nighman |
| 102 | Damariscotta Lake Marina | 38 Lake Farm Circle | Jefferson | 04348 | ME | |
| 103 | Beals- Jonesport Co-op | P O Box 195 | Jonesport | 04649 | ME | Steve Peabody |
| 104 | OW & BS Look Co, Inc. | P O Box D | Jonesport | 04649 | ME | Sid Look |
| 105 | OW & Son Look | P O Box 192 | Jonesport | 04649 | ME | Oscar Look |
| 106 | Performance Marine | P.O. Box 1039 | Kennebunk | 04043 | ME | Dwight Raymond |
| 107 | Arundel Yacht Club | 51 Ocean Avenue | Kennebunkport | 04046 | ME | Chris Audley |
| 108 | Chicks Marina | Ocean Avenue | Kennebunkport | 04046 | ME | No contact listed |
| 109 | Government Wharf & Mooring Field | 31 Pennwood Drive | Kennebunkport | 04046 | ME | Jeff Reed |
| 110 | Kennebunkport Marina | P. O. Box 2734 | Kennebunkport | 04046 | ME | Gary Martineck |
| 111 | Reids Yacht Yard | P. O. Box 588 | Kennebunkport | 04046 | ME | Bob Reid |
| 112 | Yachtsman Marina | Ocean Avenue | Kennebunkport | 04046 | ME | No contact listed |
| 113 | Dion's Yacht Yard | 48 Bowen Road | Kittery | 03904 | ME | Main Office |
| 114 | Morale, Welfare & Recreation | Naval Shipyard | Kittery | 03904 | ME | Naval Shipyard Joel Po |
| 115 | Frisbee's Supermarket | 88 Pepperell Road | Kittery Point | 03905 | ME | Frank Frisbee |
| 116 | Dar Harbor Boat Yard | P O Box 25 | Lincolnton | 04849 | ME | John Gorham |
| 117 | Pendleton Yacht Yard | 525 Pendleton Road | Lincolnton | 04848 | ME | Robin Pendleton |
| 118 | Johnson's Boat Yard | 88 Island Avenue | Long Island | 04050 | ME | Steve Johnson |
| 119 | Kezar Lake Marina | P O Box G | Lovell | 04051 | ME | Lee Conary |
| 120 | Lubec Marina | P O Box 10 | Lubec | 04652 | ME | Mark Staggs |
| 121 | MKM Island Lobster | P O Box 185 | Matinicus | 04851 | ME | Marty Molloy |
| 122 | Barton's Marina | HC 74, Box 544 | Millinocket | 04462 | ME | Douglas Remick |
| 123 | Joe Mary Campground | P O Box 329 | Millinocket | 04462 | ME | James Smith |
| 124 | Causeway Marina | RR#1, Box 10 | Naples | 04055 | ME | Dan Allen |
| 125 | Long Lake Marina | Route 302, P O Box 1559 | Naples | 04055 | ME | Jim Davenport |
| 126 | Mardon Marine | Route 302, P O Box 1556 | Naples | 04055 | ME | Lorraine MacDonald |
| 127 | Naples Marina | P O Box 1499 | Naples | 04055 | ME | Jim Allen |
| 128 | New Harbor Co-op | P O Box 125 | New Harbor | 04554 | ME | Ken Tonneson |
| 129 | Shaw's Wharf | P O Box 73 | New Harbor | 04554 | ME | No contact listed |
| 130 | Brown's Boat Yard | Box 525, Main Street | North Haven | 04863 | ME | Foy Brown |
| 131 | White's Marina | 93 Lake Road | Norway | 04268 | ME | Randa White |
| 132 | Oquossoc Cove Marina | P O Box 335 | Oquossoc | 04964 | ME | Larry Koob |
| 133 | Dickinson's Sunset Park Marina | HC 61, Box 38 | Orient | 04471 | ME | Harold Dickinson |
| 134 | Owls Head Lobster Co | 7 Lobster Lane | Owls Head | 04854 | ME | TerryWatkinson |
| 135 | Ship to Short Lobster Co | P O Box 268 | Owls Head | 04854 | ME | Tom Philbrick |
| 136 | Jones Landing | 6 Welch Road | Peak's Island | 04168 | ME | George Clark |
| 137 | Peak's island Marina | 98 Island Avenue | Peak's Island | 04108 | ME | Terry Mulkern |
| 138 | Trefethen Evergreen Improvement Assoc. | Peakes Island | Peak's Island | 04168 | ME | David Norton |
| 139 | Pemaquid Co-op, | 32 Co-op Road | Pemaquid | 04558 | ME | Charlie Blaisdell |
| 140 | Devereux Marine Inc. | RR 1, Box 426 | Penobscot | 04416 | ME | Bill Stevenson |
| 141 | Kate's Wharf | 59 Wallace Circle | Phippsburg | 04562 | ME | Kate |
| 142 | Seashores Lobster | 39 Carry Place Road | Phippsburg | 04562 | ME | Doug |
| 143 | Smithtown Marina | Smithtown Road | Pittston | 04345 | ME | Mike Baker |
| 144 | Smithtown Marina | Bakers Smelt Camps | Pittston | 04345 | ME | Verna Damon & Mike B |

MARINA ADDRESSES
Developed by OPLA, DIFW and the DMR for the Gas Tax Equity Study Commission
AUGUST 2001

| | Name of Marina | Street Name | City/Town Located | Zip Code | State | Contact Name |
|-----|-----------------------------------|-----------------------------|-------------------|----------|-------|--------------------|
| 145 | Paul and Gail's Marina | 723 Main Street | Poland Spring | 04274 | ME | Paul Komanetsky |
| 146 | Bay Lobster | Horse Point Road | Port Clyde | 04855 | ME | Dave Larsen |
| 147 | Port Clyde Co-op | Rte 131, St. George | Port Clyde | 04855 | ME | Donny Schwab |
| 148 | Port Clyde General Store | Rte 131, St. George | Port Clyde | 04855 | ME | Betsy Sherrick |
| 149 | Simmons Wharf | Horse Point Road | Port Clyde | 04855 | ME | Todd Simmons |
| 150 | St. George Marine | Rte 131, St. George | Port Clyde | 04855 | ME | John Boulware |
| 151 | Chandler's Wharf | Commercial Street | Portland | 04101 | ME | Shawn Neilson |
| 152 | Custom House Wharf | Commercial Street | Portland | 04101 | ME | Ken MacGowen |
| 153 | Deake's Wharf | Commercial Street | Portland | 04101 | ME | Roger Hale |
| 154 | Dimillo's marina | Commercial Street | Portland | 04101 | ME | Chris Dimillo |
| 155 | Gowen's Marine | 400 Commercial Street | Portland | 04101 | ME | Joe Schmader |
| 156 | Hobson's Wharf | Commercial Street | Portland | 04101 | ME | Atchun Tamaki |
| 157 | Holyoke Wharf | Commercial Street | Portland | 04101 | ME | Roger Hale |
| 158 | Long Wharf | Commercial Street | Portland | 04101 | ME | Steve Dimillo |
| 159 | Merrills Marine Terminal | 601A Danfort Street | Portland | 04102 | ME | James Carter |
| 160 | Point East Trust-Maine Wharf | 104 Grant Street | Portland | 04101 | ME | Tom Watson |
| 161 | Portland Fish Pier | Commercial Street | Portland | 04101 | ME | John Flynn |
| 162 | Portland Fish Pier | 6 Portland Fish Pier | Portland | 04101 | ME | Ron Inman |
| 163 | Portland Harbor Fuel Co | Peakes Wharf | Portland | 04101 | ME | John Ready |
| 164 | Portland Pier | Commercial Street | Portland | 04101 | ME | Pete McAleney |
| 165 | Portland Yacht Services | 58 Fore Street | Portland | 04101 | ME | Phin Sprague |
| 166 | Union Wharf | Commercial Street | Portland | 04101 | ME | Charlie Poole |
| 167 | Vessel Services Inc | Commercial Street | Portland | 04101 | ME | Rhonda Coppersmith |
| 168 | Widgery Wharf | Commercial Street | Portland | 04101 | ME | John O'Brien |
| 169 | Prospect Harbor Trading Co | P O Box 259 | Prospect Hbr | 04669 | ME | Donny Smith |
| 170 | Lucky's Landing | | Pushaw Lake | | | |
| 171 | Haines Landing Marina | P O Box 1195 | Rangeley | 04970 | ME | Mark Beauregard |
| 172 | Jordon Bay Marina (Port Bay) | 1328 Roosevelt Trail | Raymond | 04071 | ME | |
| 173 | Pantha Run Marina | P O Box 1099 | Raymond | 04071 | ME | |
| 174 | Knights Marine Service | 525 Main Street | Rockland | 04841 | ME | Horatio Knight |
| 175 | Rockland Fish Pier | P O Box 625 | Rockland | 04841 | ME | Everett Dodge |
| 176 | Rockland Landings Marina | 1 Commercial Street | Rockland | 04841 | ME | Kevin Taylor |
| 177 | Moose River Store | P O Box 236 | Rockwood | 04478 | ME | Lorianna Douglas |
| 178 | North Woods Store | no listing | Rockwood | 04478 | ME | |
| 179 | LLJ's Sea Products | P O Box 296 | Round Pond | 04564 | ME | Steve Brackett |
| 180 | Muscongus Bay Lobster Co | P O Box 20 | Round Pond | 04564 | ME | Mike Reny |
| 181 | Round Pond Lobster | P O Box 1081 | Round Pond | 04564 | ME | Buddy Poland |
| 182 | Bucks Harbor | P O Box 2, 684 Coastal Road | S. Brooksville | 04617 | ME | Jerry Bates |
| 183 | Sabasco Harbor Resort | P. O. Box 75 | Sabasco Estates | 04565 | ME | Phil Ludee |
| 184 | Camp Ellis Marina | 11 Ferry Lane | Saco | 04072 | ME | Tom Cassamassa |
| 185 | Marstons Marina | 41 Glenhaven Circle | Saco | 04072 | ME | Eric Marston |
| 186 | Norwoods Marina | 9 Fore Street | Saco | 04072 | ME | No contact listed |
| 187 | Saco Yacht Club | Front Street | Saco | 04072 | ME | Jim Ward |
| 188 | South Arm Camp Ground | 5 School House Lane | Salisbury | 01952 | MA | Don Dyke |
| 189 | Sebago Lake Marina | P O Box 199 | Sebago | 04029 | ME | Karen Frechette |
| 190 | Lighthouse Marina | 28 Marigold Lane | Sidney | 04330 | ME | James Milligan |
| 191 | Coveside Marina | 105 Coveside Road | So. Bristol | 04568 | ME | Mike Mitchell |
| 192 | Osier's Seafood | Rte 129, P O Box 54 | So. Bristol | 04568 | ME | David Osier |
| 193 | South Bristol Co-op | P O Box 63 | So. Bristol | 04568 | ME | Sonny Leeman |
| 194 | Kettle Cove Marina | P O Box 176 | So. Casco | 04077 | ME | Merrill Rollins |
| 195 | Brewers Marina | P. O. Box 119 | So. Freeport | 04078 | ME | John Brewer |
| 196 | Strout's Point Marina | P. O. Box 95 | So. Freeport | 04078 | ME | Peter Barnes |
| 197 | Breakwater Marina | 148 Preket Street | So. Portland | 04106 | ME | Paul Jensen |
| 198 | Centerboard Yacht Club | 271 Front Street | So. Portland | 04106 | ME | Sean Snowe |
| 199 | City of So. Portland | O'Neil Street | So. Portland | 04106 | ME | Tom Meyers |
| 200 | South Port Marine | 14 Ocean Street | So. Portland | 04106 | ME | Kip Reynolds |
| 201 | Spring Point Marina | 1 Spring Point Drive | So. Portland | 04106 | ME | Paul Jensen |
| 202 | Sunset Marina | 231 Front Street | So. Portland | 04106 | ME | Dan Lilley, Jr |
| 203 | McLoon's Wharf | P O Box 95 | So. Thomaston | 04858 | ME | Terry Costa |
| 204 | Spruce Head Fisherman's Co-op | 275 Island Road | So. Thomaston | 04859 | ME | Robert Thompson |
| 205 | Noyces Boat Yard | P O Box 72 | Sorrento | 04627 | ME | Crosby Noyces |
| 206 | West Cove Boat Yard | P O Box 383 | Sorrento | 04627 | ME | Steve McMullen |
| 207 | Boothbay Region Boat Yard, Inc | P O Box 179 | Southport | 04576 | ME | Dick Orne |
| 208 | Beals Lobster Pier | P O Box 225 | Southwest hbr | 04679 | ME | Sam Beal |
| 209 | Hinckley Dock/Beals Lobster Pier | 130 Shore Road | Southwest Hbr | 04679 | ME | Brian Hatfield |
| 210 | Southwest Lobster & Fish | 126 Clark Point Road | Southwest Hbr | 04679 | ME | |
| 211 | Maine Coast Seafood | P O Box 156 | Spruce Head | 04859 | ME | Glen Shadduck |
| 212 | William Atwood Lobster Co. | P O Box 202 | Spruce Head | 04859 | ME | William Attwood |
| 213 | Millers Lobster | Rt 73, Wheelers Bay | St. George | 04855 | ME | Mark Miller |
| 214 | Billings Diesel & Marine Services | P O Box 67 | Stonington | 04681 | ME | Harland Billings |
| 215 | Fifield Lobster Co | RFD 3373 | Stonington | 04681 | ME | Walter Fifield |
| 216 | Green Head Lobster Co | P O Box 670 | Stonington | 04681 | ME | Hugh Reynolds |

MARINA ADDRESSES
Developed by OPLA, DIFW and the DMR for the Gas Tax Equity Study Commission
AUGUST 2001

| | Name of Marina | Street Name | City/Town Located | Zip Code | State | Contact Name |
|-----|---------------------------------|---------------------------|--------------------------|-----------------|--------------|---------------------|
| 217 | North Atlantic Seafood, Inc | P O Box 116 | Stonington | 04681 | ME | Delbert Gross |
| 218 | Stonington Lobster Co-op I & II | P O Box 87 | Stonington | 04681 | ME | Penny Trundy |
| 219 | Sunshine Seafood, Inc. | Old Quarry Road | Stonington | 04681 | ME | Jim Eaton |
| 220 | Kents Wharf | Norton Road | Swans Island | 04685 | ME | David Niquette |
| 221 | Swans Island Co-op | 15 Morris Hill Road | Swans Island | 04685 | ME | Cathy Clark |
| 222 | Arts Lobster | Barter Point Road | Tenants Harbor | 04860 | ME | Steve Ausplund |
| 223 | Cod End | Rte 131 | Tenants harbor | 04860 | ME | Hale Miller |
| 224 | Withers Wharf | Barthers Point Road | Tenants Harbor | 04860 | ME | Bert Witham |
| 225 | Bickford's Lobster | W. Main St. | Vinal Haven | 04863 | ME | Dan Bickford |
| 226 | Fisherman's Co-op | Box 366 | Vinal Haven | 04863 | ME | Nora Warren |
| 227 | Harborside Lobster | Box 35 | Vinal Haven | 04863 | ME | Peter Jones |
| 228 | Redeem Inc. | RR 1, Box 790 | Vinal Haven | 04863 | ME | Brian Rockett |
| 229 | Farrins Wharf | P O Box 81 | Walpole | 04573 | ME | Mike Farrin |
| 230 | Blue water Seafood | 206 South Shore Drive | Warren | 04864 | ME | Sam Hugh |
| 231 | Webhannet Eiver Boat Yard | 345 Harbor Road | Wells | 04090 | ME | Scott Worthing |
| 232 | Richardson's Marina | 633 Whites Bridge Road | Windham | 04062 | ME | |
| 233 | Winter Harbor Co-op | P O Box 59 | Winter Harbor | 04693 | ME | Paul Dorr |
| 234 | Winter Harbor Marine | P O Box 9 | Winter Harbor | 04693 | ME | Warren Pettegrow |
| 235 | Mid Coast Marine | P O Box 148 | Winterport | 04496 | ME | Roger Johnson |
| 236 | Winterport Marina | P O Box 130 | Winterport | 04496 | ME | Pete Pelletier |
| 237 | Donnells | Varrell Lane, York Harbor | York | 03911 | ME | Mary Donnell |
| 238 | York Harbor Marine | P O Box 578 | York | 03411 | ME | Fred Muehl |
| 239 | Shirley Hall Fuel Dock | | | 04547 | ME | Shirley Hall |

APPENDIX H

Estimated Water Access Costs for HIGH Priority "DRAFT" 02/03 BTIP Projects as of November 1st, 2000
(Estimated Costs are approximate and not based on individual evaluations at each site.)

| BRGNO | TOWN | Bridge Name | Water Body | Region | Snowmobile | Fishing from Bridge | Carry-in | Riverbank |
|-------|--------------|---------------------|-------------------------|--------|------------|---------------------|----------|-----------|
| 3899 | ALNA | SHEEPSHOT | SHEEPSHOT RIVER | B | | 22 | | 59 |
| 0649 | ANDOVER | LEARNED BR | SAWYER BROOK | D | | | \$5,000 | |
| 5159 | ASHLAND | BIG MACHIAS RIVER | BIG MACHIAS RIVER | G | \$60,500 | | | \$5,000 |
| 3338 | AUBURN | LITTLEFIELDS | LITTLE ANDROSCOGGIN RV | A | | | \$5,000 | \$5,000 |
| 5245 | BELGRADE | CRANK | SANFORD BROOK | B | | \$8,400 | \$5,000 | \$5,000 |
| 5246 | BENTON | JEWETT | JEWETT BROOK | B | | \$10,800 | | \$5,000 |
| 1231 | BERWICK | KEY BROOK | KEY BROOK | A | | | | \$5,000 |
| 5730 | BERWICK | WEBSTER | KEY BROOK | A | | | | \$5,000 |
| 0977 | BOWDOINHAM | CARD MACHINE BR | ABAGADASSET RIVER | B | | \$12,600 | \$5,000 | \$5,000 |
| 0218 | BRIDGTON | WILLETT BROOK | WILLETT BROOK | A | | | | |
| 5471 | BROOKS | HALL | MEADOW BROOK | B | | \$6,000 | | \$5,000 |
| 3628 | BROOKSVILLE | DAVIS NARROWS | BAGADUCE | C | | | \$5,000 | |
| 0755 | CAMDEN | ROLLINS ROAD BRIDGE | GOOSE RIVER | B | | \$14,400 | | \$5,000 |
| 2794 | CAMDEN | SPRING BROOK | SPRING BROOK | B | | | | \$5,000 |
| 2602 | CANAAN | NEW | CARABASSET STR | B | | | | \$5,000 |
| 2312 | CANTON | GILBERTVILLE | ANDROSCOGGIN RIVER | D | | | \$5,000 | \$5,000 |
| 3985 | CARMEL | RUGGLES | HILL BROOK | B | | \$21,000 | | \$5,000 |
| 6115 | CHELSEA | WINDSOR ROAD | TOGUS STR | B | | \$7,200 | | \$5,000 |
| 3070 | COPLIN PLT | NASH | NASH | D | | | | |
| 0837 | DEXTER | PULLEN BR. | KENDUSKEAG STREAM | B | | \$12,600 | | \$5,000 |
| 0127 | EASTON | PRESTILE BRK. # 2 | PRESTILE STREAM | G | | | | \$5,000 |
| 0137 | EASTON | PRESTILE BROOK | PRESTILE STREAM | G | | | | \$5,000 |
| 0463 | ELLSWORTH | GRAHAM LAKE DAM BR | GRAHAM LAKE OUTLET | C | | | | \$5,000 |
| 0599 | FRIENDSHIP | MIDDLE BR | GOOSE RIVER | B | | \$6,600 | | \$5,000 |
| 0230 | GORHAM | FILES BR. | BREAKHEART BROOK | A | | | | |
| 0022 | GREENE | HALEY | LITTLE STETSON BROOK | A | | | | \$5,000 |
| 0023 | GREENE | STEVENS | STEVENS BROOK | A | | | | \$5,000 |
| 2801 | GUILFORD | SANGERVILLE STATION | PISCATAQUIS RIVER | E | | | | \$5,000 |
| 0238 | HARRISON | RYEFIELD BRIDGE | CROOKED RIVER | A | | | \$5,000 | \$5,000 |
| 0694 | HARTFORD | EAST BRANCH | EAST BRANCH NEZINSCOT R | B | | | | \$5,000 |
| 2583 | JACKMAN | MOOSE RIVER | MOOSE R | E | | | \$5,000 | \$5,000 |
| 5053 | KINGFIELD | NORTON | CARRABASSET RV | D | | | \$5,000 | \$5,000 |
| 3214 | LEEDS | NORTH TURNER EAST | ANDROSCOGGIN R | B | | \$81,000 | \$5,000 | \$5,000 |
| 5001 | LEEDS | JOHNSON | JOHNSON STR | B | | | | \$5,000 |
| 5857 | LIMERICK | PENDEXTER | RANDALL STREAM | A | | | | \$5,000 |
| 3193 | LINCOLNVILLE | FOND | MESERVEY BROOK | B | | | | \$5,000 |
| 3709 | LINNEUS | BITHER BROOK | BITHER BROOK | G | | \$6,000 | | \$5,000 |

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Estimated Water Access Costs for HIGH Priority "DRAFT" 02/03 BTIP Projects as of November 1st, 2000
(Estimated Costs are approximate and not based on individual evaluations at each site.)

| BRGNO | TOWN1 | Bridge Name | Water Body | Region | Snowmobile | Fishing from Bridge | Carry-in | Riverbank |
|-------|----------------|--------------------------|--------------------------|--------|------------|---------------------|----------|-----------|
| 2460 | LISBON | LITTLE RIVER | LITTLE RIVER | A | | | | |
| 1475 | MILBRIDGE | GREAT SOUTH | NARRAGUAGUS RIVER | C | | | | \$5,000 |
| 3280 | MILBRIDGE | GREAT NORTH | NARRAGUAGUS R | C | | | | \$5,000 |
| 3535 | MILFORD | LOWER TRESTLE | HIGHWATER CHANNEL | F | | | \$5,000 | |
| 0141 | NEW CANADA | SLY BROOK | SLY BK | G | | | | \$5,000 |
| 3394 | NEW GLOUCESTER | UPPER GLOUCESTER BRIDGE | ROYAL RIVER | A | | | \$5,000 | |
| 0407 | NEW SHARON | BULLENS MILL BR. | MUDDY BK | D | | | | |
| 0112 | NEW SWEDEN | BEARSLEY BROOK #1 | BEARSLEY BROOK | G | | \$7,200 | | \$5,000 |
| 1530 | NEWCASTLE | DYERS | SHEEPSCOTT RIVER | B | | | \$5,000 | \$5,000 |
| 3170 | NEWPORT | DURHAM | STETSON STR | B | | \$36,000 | | \$5,000 |
| 3492 | OGUNQUIT | OGUNQUIT BEACH | OGUNQUIT RIVER | A | | \$129,600 | | \$5,000 |
| 1799 | ORONO | ISLAND AVE. | | B | | \$0 | \$5,000 | \$5,000 |
| 0708 | PARIS | BRETTS BR | STONY BROOK | A | | | | |
| 0781 | PERU | MARY T | SPEARS STREAM | D | | | | |
| 0806 | PERU | ARNOLD | SPEARS STREAM | D | | | | |
| 3556 | RICHMOND | HALEYS | WILMOT'S BROOK | B | | | | \$5,000 |
| 5310 | RUMFORD | SCOTTY RICHARDSON | RICHARDSON | D | | | | \$5,000 |
| 1119 | SEARSMONT | JAM BROOK BR | JAM BROOK | B | | | | \$5,000 |
| 1024 | SOLOM | WILLIAMS | MICHAEL BRK | D | | | | |
| 1245 | SOUTH BERMICK | HOOPER MILL | HOOPER BROOK | A | | | | \$5,000 |
| 0819 | STETSON | BUSIELL BR. | BUZZELL STREAM | B | | \$7,800 | \$5,000 | \$5,000 |
| 1474 | TURNER | NORTH TURNER WEST | ANDROSCOGGIN RV | B | | \$157,200 | \$5,000 | \$5,000 |
| 0019 | TURNER | RICKERS BRIDGE | MARTIN STREAM | B | | \$22,200 | \$5,000 | \$5,000 |
| 5665 | UNION | STUART BRIDGE | STUART BK | B | | | | \$5,000 |
| 1109 | UNITY | FARWELLS MILL BR | SAVOY STREAM | B | | | \$5,000 | \$5,000 |
| 5811 | UNITY | FOWLER BROOK | FOWLER BROOK | B | | | | \$5,000 |
| 3090 | UPTON | ANDOVER DAM BRIDGE | CAMBRIDGE RIVER | D | | | | \$5,000 |
| 0122 | WASHBURN | WEST BRANCH SALMON BK #2 | WEST BRANCH SALMON BROOK | G | | \$20,400 | | \$5,000 |
| 3630 | WASHBURN | CHURCHILL BROOK | CHURCHILL BROOK | G | | | | \$5,000 |
| 3829 | WATERBORO | CARPENTER | CARPENTER BROOK | A | | | | \$5,000 |
| 3227 | WAYNE | MAIN ST | MILL STR | B | | \$16,800 | | \$5,000 |
| 3175 | WELLS | ISLAND LEDGE ROAD | WEBHANNET RIVER | A | | \$97,200 | | |
| 3331 | WEST GARDINER | COLLINS | COBOSSEE STREAM | B | | \$72,600 | \$5,000 | \$5,000 |
| 5197 | WHITEFIELD | ALBEE SCHOOLHOUSE | ALBEE STREAM | B | | | | \$5,000 |
| 2787 | WINDHAM | SOUTH WINDHAM | PRESUMESCOT RV | A | | | \$5,000 | |
| 3342 | WINTERPORT | LEWIS WHITE | GRANT BK (OR CLARK) | B | | | | \$5,000 |
| 2715 | YORK | RICES | YORK RIVER | A | | \$188,400 | \$5,000 | \$5,000 |

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APPENDIX I

APPENDIX I

UPDATES TO THE BOATING FACILITIES FUND

1. The Boating Facilities Fund (BFF)

The BFF, which is capped at \$2 million, provides DOC about \$1.5 million annually. For the last six years, BFF expenditures have exceeded income by drawing down a large unexpended balance.

The cash balance at the beginning of FY 2002 was \$1,596,925.

2. Emerging Issues

- At projected funding levels, the Boating Facilities Fund cannot maintain and renovate existing public access sites and provide new access sites at the pace it has for the last six years, and may not be able to meet the objectives of the 1995 Strategic Plan.
- Current staffing levels in both the DOC and DIF&W limit the amount of work that can be accomplished, how well the work is done, and how effectively program staff can address issues raised by local residents.
- Without additional funds, the new opportunity presented by the Land for Maine's Future Program's Public Access to Maine Waters Fund to acquire access sites, and access enhancements identified by the MDOT's Public and Recreational Access Committee, cannot be fully realized except at the expense of current activities.

The BFF's cash balance of \$1,595,925 (6/30/01) is projected to be reduced to less than \$540,000 at the end of FY 2002, and less than \$370,000 at the end of FY 2003. This is the minimum cash balance needed at the beginning of each fiscal year to ensure that outstanding encumbrances can be honored and the fixed costs of administering the Boating Facilities Program met while waiting for additional cash to become available through the monthly transfer of gas tax income. This level of cash balance does not provide a reserve for taking advantage of acquisition opportunities that may develop before funds are available, such as through the Lands for Maine's Future Water Access Fund. Without an increase in funding, monies available for grants, the state acquisition and development of new sites, and the renovation of existing sites will be reduced to about \$400,000 per year, a significant reduction from the recent years, when such expenditures exceeded \$800,000 annually.

At current funding levels, State programs will continue to renovate, develop, and acquire sites for public access to Maine's waters expeditiously as possible, guided by the policies of the 1995 strategic plan and assisted wherever possible by leveraged state or federal monies. Because the cash balance of the BFF is projected to be drawn down, the rate of access enhancements achieved from 1995-2001 cannot be sustained. Further, despite strong public support for accelerated acquisition of sites, current funding will not allow agencies to take full advantage of new opportunities embodied in the Land for Maine's Future's Water Access Fund or identified by MDOT's Public and Recreational Access at Water Crossings and Properties Adjacent to Water Committee.

Action/Alternatives

A. CURRENT FUNDING

- DOC/DMR/DIF&W/MDOT: fund a survey of a sample of registered boat owners to estimate the current percentage of the gasoline tax generated by recreational boating and identify access concerns/needs;
- DOC/SPO/DMR: develop and maintain a comprehensive data base of coastal access sites and needs to guide and track status, opportunities, and updated priorities. Contract for services as BFF or other funding sources permit;
- DOC/SPO/DMR: identify opportunities to meet access needs in those high priority areas identified in the SPO/DMR access needs study as lacking adequate access. Contract for services as BFF or other funding sources permit.
- DOC/DIF&W: develop and maintain comprehensive, statewide data base of access status on inland water bodies. Contract for services as BFF and other funding sources permit;
- DOC/DIF&W: continue renovation, development, and acquisition of access sites consistent with priorities and in an attempt to meet targets of 1995 Strategic Plan. Explore sources of matching funds for LMFF/Water Access fund. Propose and sponsor access acquisition projects to the LMFB, MOHF, and other potential sources of assistance for approval as funding and staff capabilities permit;
- MDOT/DOC/DIF&W/DMR: continue active participation in review of MDOT bridge and road projects to identify and refine opportunities for enhancing access at suitable sites, as current funding permits;
- DMR/DIF&W: Enforcement and Education as described in the previous section.

B. INCREASED FUNDING

- DOC/DIF&W: continue to meet or exceed targets for renovation, development, and acquisition presented in 1995 Strategic Plan;
- DOC/DIF&W: increase program emphasis on acquisition and accelerate purchase of suitable, available inland and coastal sites by providing matching funds needed for LMF/Water Access Fund for both state and local acquisition as appropriate, as funding permits, increase use of contracted services to proactively search for available, suitable sites in high priority areas.
- MDOT/DOC/DIF&W: participate in the development and management of new access sites and access enhancements associated with bridges and

public roads as identified by the Public and Recreational Access at Water Crossings and Properties Adjacent to Water Committee.

- DIF&W/DMR: hire additional staff to increase enforcement presence and response capabilities as described in the previous section.
- DIF&W: build on current education system of regional coordinators to increase the outreach and instructional capabilities.

APPENDIX J

APPENDIX J

DEPARTMENT OF CONSERVATION BUREAU OF PARKS & LANDS OFF-ROAD VEHICLE DIVISION

Updated report for the Snowmobile and ATV Programs prioritizing the need assessment to the Commission to Study Equity in the Distribution of Gas Tax Attributed for Snowmobiles and ATV's. A chart on page 5 depicts the needs listed

The following information provides a brief summary for the emerging needs based on the report submitted to the committee in November of 2000. This summary is updated and prioritized to include projected full funded and half-funded priorities.

Snowmobile Program Future Opportunities

1H The ORV division has assumed new management responsibilities, including grant administration and property management. Additional clerical demands resulting from this program growth could be addressed by increasing the hours of the current part-time Clerk Typist II from 15 to 20 hours per week, at an annual cost of \$3,195.

1F The division would benefit from four regional intermittent/part-time field coordinators to help distribute trail signs, establish clubs, conduct workshops, and represent the division locally. The coordinators would work with full-time staff to promote local management, facilitating increased outreach at minimal cost of \$14,500.

2H&F There is potentially a significant liability exposure for bureau-owned structures on abandoned railroad corridor trails. The estimated cost will be \$60,000 annually from each program (snowmobile/ATV).

3H Clubs reported costs continue to escalate each year. Grants should increase \$10 per mile (\$90/mile) for an annual cost of \$80,000.

3F Club grants would be increased by \$20 per mile (maximum grant of \$100 per mile) for 30 miles or a \$3,000 grant to cover all reported costs. The cost would be \$160,000.

4H Municipal grants are now funded at up to 70% of their projected cost. The average grant for FY01 was \$12,000. Request for additional, new municipal grants could be funded. The project cost is \$120,000.

4F If this category were fully funded, 10 new grants could be funded, and existing grants slightly increased at a cost of \$240,000.

5H&F New abandoned railroad corridor trails need gates to prohibit access to the trail by vehicles. Half funding would not provide any new money for gates but full funding would provide \$10,000 a year for 10 new gates annually.

6H&F Acquisitions of abandoned rail corridors are very complicated and expensive. Funds are needed to match other potential fund sources, such as LMF, Heritage grants, and NRTF grants. At half-funding, allocations would not be made, but a full funding program would allot \$50,000 to this effort.

7H Recent legislation has covered a significant portion of this objective already with the registration fee increase of \$5 this year. A half-funded program would increase those grants by an additional \$62,500.

7F The need in FY 2002 was originally projected at \$625,000. The new registration increase will provide approximately \$500,000, therefore an additional \$125,000 annually to fully fund the projected grants is needed.

8H The recently approved highway bond will provide approximately 2 million dollars to provide state snowmobile crossings at 4 highway sites. A stable source of funds to address additional problem sites would still be used. Projected need \$250,000 per year.

9F A fully funded program would provide \$500,000 per year.

All-Terrain Vehicle Future Opportunities

1H The ORV Division operates without a comprehensive strategic plan. The snowmobile program currently pays half the cost of Planning & Research Associate II, who has provided assistance in corridor acquisition, grant writing, and program planning. This should become a full-time position and would assume responsibilities such as expanded program review and planning; greater assistance with corridor acquisitions; cooperative management agreements; grant requests; review of liability insurance needs, and contracts for services the bureau is unable to provide directly. Cost \$28,000 per year.

1F The Division would benefit from four regional intermittent/part-time field coordinators to help distribute trail signs, establish clubs, conduct workshops, and represent the division State wide. The coordinators would work with full-time staff to promote local management facilitating increased outreach at a minimal cost of \$14,500. Total cost with planner \$42,500.

2H&F There is potentially a significant liability exposure for bureau-owned structures (bridges and trestles) on abandoned railroad corridor trails. The estimated cost will be \$60,000 annually from each program (ATV/snowmobile).

3H&F The increased number of ATV clubs, multi-user abandoned railroad corridors, and new trails being opened on Public Reserved Land, have stretched staffing to the point that work needs to be contracted to maintain trails in a safe condition. If funding were available, four trail systems could have routine maintenance contracted: Turner; Mt. Blue; Lagrange; and Summer Haven. The work would include sign maintenance, brush cutting, minor bridge maintenance, and minor grading of roadways. The costs range from \$5,000 to \$15,000, depending on the work to be done each year, with a projected total annual cost of \$30,000.

4H&F Increasing the number of ATV clubs is a major goal of the program. Clubs provide local management; teach respect for private land and proper ethics (similar to the early days of snowmobiling); and promote efficient trail construction. There has been a substantial increase in the number of ATV clubs over the past three years, rising from 29 to 56 clubs. Assuming the present growth rate in club activity, 30 new clubs are anticipated in the next two to three years. To maintain the same level of funding for the grant program requires an additional \$75,000.

5H&F There is increased interest from town and county governments in building and promoting ATV trails to take advantage of the growth in ATV tourism, to reduce landowner concerns, or to participate in projects too large for a local club. Currently, the Municipal Grant Program is a 50/50 match. There are two projects for the current fiscal year; rapid growth in projects is anticipated in the next few years. An increase of five to seven projects annually would require \$50,000 in additional funds, which would result in trail projects worth a total of \$100,000. If more funds were available, the ATV program should mirror the snowmobile municipal reimbursement currently at the 70% level, which would add \$20,000 to projected costs. Total costs, \$35,000 to \$70,000.

6H&F Maine could use more statewide law enforcement. The bureau supported a Heritage Grant pilot project for the Fort Kent Police Department and recently supported a second grant to the town of Washburn. The grants were a 50/50 match. The Fort Kent project was extremely successful this summer. This objective was not in the original need assessment but would be very effective to help curb inappropriate or illegal use of the vehicles. A \$50,000 program could allow us to provide ten \$5,000 50/50 (local match) grants each year.

7H&F The bureau has agreements with the major landowners (International Paper and Wagner) in Washington county for approximately 600 miles of new, approved ATV trail. Although much of the trail maintenance work is done by volunteers, at least three large bridges (crossing the Narraguagus and Machias Rivers) should be built at a cost of at least \$50,000 each. The primary purpose of these bridges is to improve safety and contribute to the Atlantic Salmon Restoration effort by eliminating fords, about which there are concerns regarding impact on salmon spawning habitat. This project could also include dozens of sites that need culverts and erosion control work, the cost of which remains to be determined. The ATV program has expressed an interest to the landowners and to LURC in assisting in this effort, if funds were available. The local clubs lack the resources for such large projects. According to the timetable of the Salmon Restoration effort, there is a three-year window to do this work. The projected total cost is \$25,000 half-funding or \$50,000 full-funding.

8H&F New abandoned railroad corridor trails need gates in order to prohibit access to the trail by vehicles. Half funding would not provide any new money for this but full-funding would provide \$10,000 a year for 10 new gates annually.

9H&F Acquisitions of abandoned rail corridors are very complicated and expensive. Funds are needed to match other potential funding sources such as LMF, Heritage grants, and NRTF grants. Half-funding would not provide new money for this, but a full funding program would make \$50,000 available.

10H&F Purchase of use areas were listed in the original report. That objective remains on our list of future opportunities, but is a low priority. A half-funded program would not provide any funding; however, a fully-funded program would make \$250,000 available.

APPENDIX K

Appendix K

MAINE WARDEN SERVICE EXPANDED RECREATIONAL VEHICLE ENFORCEMENT

| | Spring | Summer | Fall | Winter |
|-----------------------------------|--------------------------------|--------------------------------|--------------------------------|--------------------------------|
| Snowmobile Enforcement | ----- | ----- | 600 Hours | 5400 Hours |
| ATV Enforcement | 3000 Hours | 3000 Hours | 7800 Hours | 3600 Hours |
| Watercraft Enforcement | 6000 Hours | 6000 Hours | 600 Hours | ----- |
| Total Expanded Enforcement | 9000 Hours (18 FTE) | 9000 Hours (18 FTE) | 9000 Hours (18 FTE) | 9000 Hours (18 FTE) |

Recreational Vehicle Enforcement Budget

| | Existing Program | Expanded Program | Total |
|------------------------|-------------------------------|-----------------------------|---------------------------------------|
| Snowmobile Enforcement | \$ 569,377 (15,300 Hours) | \$273,000 (6000 Hours) | \$842,377 (21,300 Hours) |
| ATV Enforcement | \$187,701 (3700 Hours) | \$770,000 (17,400 Hours) | \$957,701 (21,100 Hours) |
| Watercraft Enforcement | \$1,293,037 (64,300 Hours) | \$564,000 (12,600 Hours) | \$1,857,037 (76,900 Hours) |

APPENDIX L



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

December 6, 2000

Memo to: Dawn Gallagher (DOC), Jane Lincoln (DOT), Fred Hurley (IFW), Penn Estabrook (DMR)

From: Patrick Norton, Principal Analyst

Re: Final signed cooperative agreement for gas consumption surveys

I've attached for your files a copy of the final signed cooperative agreement between your agency and the University of Maine for ATV, snowmobile and motorboat gasoline consumption surveys. The original of this document has been sent to the Margaret Chase Smith Center for Public Policy at the University of Maine.

Thank you. Please feel free to call me if you have questions.

CC: Senator Marge KilKelly
Representative Joe Clark
David Boulter, OPLA Director
Will Harris, DOC
Alan Stearns, DOT
Rick Record, IFW
Gilbert Bilodeau, DMR

G:\OPLANRG\NRGSTUD\GASTAX\Cooperative agreement copy cover memo.doc

04A 40121100254

| VENDOR CODE | DOC TOTAL | FND | AGY | ORG | SUB | APR | ACTIVITY | OBJ | SUB ORG | JOB NO | REPT CATG | ID |
|-------------|-----------|-----|-----|-----|-----|-----|----------|-----|------------|--------|--------------|-----|
| (11) | (14) | (3) | (3) | (4) | (2) | (3) | (4) | (4) | (2) | (8) | (4) | (1) |

Project #: 2001160

PROJECT AGREEMENT

for

STATE/UNIVERSITY COOPERATIVE PROJECTS

1. This PROJECT AGREEMENT is entered into by the State of Maine, and the University of Maine System, acting through the University of Maine, Office of Research and Sponsored Programs, Room 408, 5717 Corbett Hall, Orono ME 04469-5717, for the purpose of undertaking a project of mutual interest. This project shall be carried out under the terms and conditions of the GENERAL POLICY AGREEMENT FOR STATE/UNIVERSITY COOPERATIVE PROJECTS dated September 1, 1989, except as may be modified herein.
2. The period of this agreement shall begin on October 15, 2000, and shall expire on January 31, 2002.
3. The work to be carried out during the period of this Agreement is described in the proposal identified below and more fully described in attached Exhibit A., the content of which is incorporated herein as a part of this Agreement.

Project to Conduct Telephone Surveys to Determine Gasoline Consumption Attributable to Snowmobiles, ATVs and Watercraft

4. The following individuals are designated to serve as Project Cooperators:

For the State:

Dawn Gallagher
Department of Conservation
22 State House Station
Augusta, ME 04333
207/287-4901

For the University:

Jonathan Rubin
University of Maine
Margaret Chase Smith Center for
Public Policy
5715 Coburn Hall
207/581-1528

5. The following individuals are designated to serve as Project Administrators:

For the State:

Will Harris
Department of Conservation
22 State House Station
Augusta, ME 04333
207/287-2215

For the University:

Arlene B. Russell
Associate Director, Post-Award
and Fiscal Services
Office of Research & Sponsored Programs
University of Maine
5717 Corbett Hall
Orono, ME 04469-5717
207/581-1476

For the State: (continued)

Rick Record
Department of Inland Fisheries and Wildlife
41 State House Station
Augusta, ME 04333
207/287-5224

Jane Lincoln
Department of Transportation
16 State House Station
Augusta, ME 04333
207/287-3324

Gilbert Bilodeau
21 State House Station
Augusta, ME 04333
207/287-6569

Key Personnel:

The following person is identified as a "key personnel", as provided under section 3 of the General Policy Agreement for State/University Cooperative Projects:

Patrick Norton, Principal Analyst
Office of Policy and Legal Analysis
State House Station 13
Augusta, ME 04333

6. Key Personnel: The University must send the person identified in this contract as a "key personnel", or that person's successor within that person's office, one copy of any progress report, completion report or correspondence related to this project that is sent by the University to the Project Cooperator. Such materials must be sent or delivered to the Key Personnel at the same time and in the same manner in which they are sent or delivered to the Project Cooperator and must include all attachments, appendices or supporting documents sent to the Project Cooperator. Nothing in this contract may be construed to create or impose any obligations, including any financial obligation, on the Key Personnel or that person's employer.
7. Total project costs for the period of this Agreement shall not exceed \$72,515 of which \$22,863 shall be provided by the Department of Conservation, \$10,000 shall be provided by the Department of Inland Fisheries and Wildlife, \$7,900 shall be provided by the Department of Marine Resources, \$13,500 shall be provided by the Department of Transportation and \$18,252 shall be provided by the University of Maine.

8. Invoices should be sent to the following funding sources: State of Maine, Department of Conservation, Department of Inland Fisheries and Wildlife, Department of Marine Resources and Department of Transportation.

STATE OF MAINE:

Transportation
Department
by Jane S. Lincoln
Authorized Signature
Jane Lincoln
Deputy Commissioner
Typed Name and Title
11-16-00
Date

UNIVERSITY OF MAINE SYSTEM:

University of Maine
Institution
by James S. Ward IV
Authorized Signature
James S. Ward IV, Director
Department of Industrial Cooperation
Typed Name and Title
11/9/2000
Date

STATE OF MAINE:

CONSERVATION
Department
by Willard Harris
Authorized Signature
Willard Harris
Director of General Services
Typed Name and Title
11-16-00
Date

STATE OF MAINE:

Inland Fisheries and Wildlife
Department
by Richard E. Record
Authorized Signature
Richard Record
Director of Administrative Services
Typed Name and Title
11/16/00
Date

ENCUMBERED

NOV 17, 2000

STATE OF MAINE:

Marine Resources
Department
by [Signature]
Authorized Signature
11/16/00
Typed Name and Title

Penn Estabrook
Deputy Commissioner
Date
(signing for Gilbert Bilodeau)

REVIEWED, CONTRACT REVIEW COMMITTEE:

[Signature]
Chairperson
NOV 17 2000

Date

**Proposal to Conduct Telephone Surveys
to Determine Gasoline Consumption Attributable to
Snowmobiles, ATVs and Watercraft**

Introduction

The Maine State Legislature created the Commission to Study Equity in the Distribution of Gas Tax Revenues Attributable to Snowmobiles, All-terrain Vehicles and Watercraft and charged the Commission to collect and analyze information to determine an equitable distribution of gas tax revenues to support the enforcement and enhancement of programs supporting off-road vehicle use in Maine. The Margaret Chase Smith Center for Public Policy at the University of Maine has engaged in discussions with and has prepared materials for the Commission and the Office of Policy and Legal Analysis regarding data collection methods for identifying gasoline consumption among users of off-road vehicles. As a result of those efforts, the Office of Policy and Legal Analysis has asked the Margaret Chase Smith Center for Public Policy to submit a proposal to conduct survey research to collect information from snowmobile, all-terrain vehicle and watercraft users in Maine. The effort proposed herein will involve the expertise of a variety of Maine state government agencies in off-road vehicle use in Maine and the survey research expertise of the Margaret Chase Smith Center for Public Policy. Accordingly, the proposal is presented as a cooperative agreement between the state and the University.

This proposal describes activities related to the conduct of telephone surveys of snowmobile, all-terrain vehicle and watercraft users in Maine and provides a budget for those activities. Each of the three surveys will be conducted at or near the end of primary season of use for each vehicle type. This proposal outlines sampling methods, survey implementation procedures and reporting of results for each of the three user populations. In all project activities, Margaret Chase Smith Center for Public Policy staff will continue to work closely with representatives of the Office of Policy and Legal Analysis as well as other state agencies working with the Commission.

Sampling

For each user population (snowmobile, all-terrain vehicle, and watercraft), registration lists will be identified. From each registration list, a random sample of 860 individuals will be selected as the survey sample. From the 860 in each survey population, it is estimated that 600 interviews will be completed. This assumes that 70% of the sample population can be located and agree to participate.

To ascertain gasoline consumption of coastal watercraft registered out-of-state and of documented vessels, a telephone survey will be conducted of Maine businesses (marinas, etc.) that sell gasoline almost exclusively to watercraft operators. The obtained figures will be adjusted by the survey results of Maine registered watercraft owners.

Questionnaire Development

The Margaret Chase Smith Center for Public Policy will develop survey instruments for each user population. Questionnaire development will be conducted in close consultation with state agencies also working with the Commission. The survey instruments will include questions that permit the respondent to describe gasoline consumption in a variety of ways (e.g., estimated annual consumption, gallons per trip, number of trips) as well as to compare reported consumption with prior years. In addition to questions related to gasoline consumption, the questionnaires will address other issues related to use of off-road vehicle use. Questionnaires will be designed to be completed in a ten minute telephone interview. All questionnaires will be pre-tested prior to survey implementation.

Survey Implementation

Each survey will be administered at or near the end of the primary use season for each type of vehicle. Before each survey is implemented, all members of the survey sample will be mailed a letter describing the study and how the potential respondents were chosen and explaining that attempts will be made to contact them by phone. The telephone surveys will be conducted from the Margaret Chase Smith Center for Public Policy. The Margaret Chase Smith Center for Public Policy will provide interviewers who are already trained in professional interviewing skills. All interviewers will participate in a training session designed specifically

for each of the surveys. Interviewer training will include background information on the project and the charge of the Commission, the purpose of the survey, how and when to contact respondents, as well as question by question instructions on potential respondent concerns and appropriate methods of handling those concerns.

A protocol will be developed specifying the number of contact attempts to be made on a schedule of varying times of day and days of the week to ensure that all potential respondents have maximum opportunity to participate in the survey. Interviewers will document all attempts to contact respondents.

Data Entry and Analysis

All survey responses will be double-entered to data files. Separately entering each completed interview twice and comparing data identifies data entry errors and ensures accuracy of the final data file. In addition, final data files will be cleaned to remove out-of-range codes and logical inconsistencies. Margaret Chase Smith Center for Public Policy staff will develop necessary computer programs to analyze the data. The analysis will be consistent with predetermined needs identified by the Office of Policy and Legal Analysis. Based on that analysis, the Margaret Chase Smith Center for Public Policy will produce a descriptive report of results for each survey. The Office of Policy and Legal Analysis will be provided a draft report for review and comment prior to preparation of final reports.

Project Personnel

Staff of the Margaret Chase Smith Center for Public Policy at the University of Maine bring a wealth experience and expertise to this project. Jonathan Rubin is Assistant Professor of Resource Economics in the Margaret Chase Smith Center for Public Policy and the Department of Resource Economics and Policy and will serve as Principal Investigator. Dr. Rubin is a specialist in environmental and natural resource economics with extensive background in quantitative and qualitative analysis of national and regional policies and programs. His recent and current work includes evaluating the impacts of acid rain in Maine=s high elevation lakes, evaluating the relative merits of intertemporal permit systems to reduce the emissions of greenhouse gasses, and estimating the likely penetration of alternative fuels and vehicles in the US market. Suzanne K. Hart is Research Associate at the Margaret Chase Smith Center for Public Policy and will serve as Co-Principal Investigator. Ms. Hart has been a research associate

in Maine-based survey research organizations for more than twenty years and served as Director of the Survey Research Center at the Edmund S. Muskie School of Public Service prior to assuming her position at the University of Maine. Charles E. Morris is Senior Research Associate at the Margaret Chase Smith Center for Public Policy and will serve as Co-Principal Investigator. Mr. Morris has over twenty years experience in providing research and consultive assistance to public and non-profit organizations in Maine.

Project Timetable

Each survey will be administered at or near the end of the primary use season for each type of vehicle. All-terrain vehicle users will be surveyed in the fall/early winter of 2000 with a final report of findings produced by March 15, 2001. Snowmobile users will be surveyed in late winter/early spring 2001 with a final report of findings produced by June 15, 2001. Watercraft users will be surveyed in late summer/early fall 2001 with a final report of findings produced by November 30, 2001.

Project Budget

Total cost for this project is \$72,515 (detailed budget is attached). As a cooperative agreement, the University will contribute \$18,252 of the total project indirect cost resulting in a total sponsor cost of \$54,263. Implementation and data entry costs are \$11,926 for each of the three surveys. In addition, the survey of coastal gas pump operators will add \$1,010 to implementation costs of the watercraft survey. Activities related to sampling, questionnaire development, analysis and reporting must include consideration of all three vehicle types and cannot be attributed directly to the individual surveys.

| Activity | Total Cost |
|-----------------------------------|------------|
| Development, Analysis & Reporting | \$17,475 |
| ATV Phone Survey | \$11,926 |
| Snowmobile Phone Survey | \$11,926 |
| Watercraft Phone Survey | \$12,936 |
| Project Total Cost | \$54,263 |

Gas Tax Equity Study

Project Budget

| | Sponsor | University | Total |
|-------------------------------------|----------|------------|----------|
| Personnel | | | |
| a. J. Rubin | | | |
| 20 days @ \$270 | \$5,400 | | \$5,400 |
| b. C. Morris | | | |
| 22 days @ \$184 | 4,048 | | 4,048 |
| c. S. Hart | | | |
| 25 days @ \$172 | 4,300 | | 4,300 |
| d. C. Boynton | | | |
| 30 days @ \$80 | 2,400 | | 2,400 |
| e. Interviewers | | | |
| 134 days @ \$86 | 11,524 | | 11,524 |
| f. Data Entry | | | |
| 30 days @ \$86 | 2,580 | | 2,580 |
| Fringe Benefits (a,b,c & d) @ 33.4% | 5,393 | | 5,393 |
| Fringe Benefits (e & f)* @ 8.4% | 1,185 | | 1,185 |
| Supplies/Materials | 1,500 | | 1,500 |
| Telephone | 8,400 | | 8,400 |
| Printing/Photocopy | 1,400 | | 1,400 |
| Postage | 950 | | 950 |
| Travel | 250 | | 250 |
| Total Direct Cost | \$49,330 | | \$49,330 |
| Indirect Cost @ 47% | \$4,933 | \$18,252 | \$23,185 |
| Total Project Cost | \$54,263 | \$18,252 | \$72,515 |

* temporary non-faculty employees

Gas Tax Equity Study

Project Budget

[illegible]

• temporary non-facility employees